

**SNOW FALLING ON CEDARS**

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First Draft

Screenplay

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**EXT. THE SUSAN MARIE, SHIP CHANNEL BANK - NIGHT**

Fog. Penetrated only by sound. The LAPPING of sea at a drifting hull. Tendrils of mist part, revealing...

...a face. Strong and blond and handsome.

**SUPERIMPOSE: SEPTEMBER 15, 1954**

LONG ANGLE...from below, we watch CARL HEINE, high on the cross spar of his mast. He has pulled a SHUTTLE of TWINE from his rubber overalls, and is LASHING a LANTERN in the cloud of mist, as MAIN **TITLES BEGIN...**

ANGLE...the tiny, meticulously neat cabin. Empty, silent. A tin COFFEE CUP on the counter's edge. The battery well open, revealing two large BATTERIES in place. PAN to...

...the deck of this sturdy stern-picker. The fishing net stretched from the huge DRUM into the sea. Keep PANNING to the bow, where...

...Carl stands with his kerosene lantern and his air horn, watching as another BOAT comes slowly out of the mist. The silhouette of a FISHERMAN, holding a long fishing GAFF. As fragments of fog part, we CLOSE on the figure's face, to see...

...his eyes. They are Asian. SMASH CUT to...

**EXT. THE SUSAN MARIE, SHIP CHANNEL BANK - MORNING**

Blinding sun. Our boat bobs lifeless on placid water. As  
CREDITS

CONTINUE, two figures slowly reel in the massive net. SHERIFF  
ART

MORAN is painfully thin, unimposing, methodical. Only the eyes  
reflect his disquiet. His young deputy, ABEL MARTINSON, cuts  
anxious looks between his mentor and the sea. As the net brings  
silvered salmon across the gunnel, CUT to...

...the cabin. Tidy as before. Only two things have changed.  
CLOSE on the tin coffee cup, which now lies OVERTURNED on the  
floor. PAN above the open battery well, where a third MARINE  
BATTERY now stands next to the wheel. CUT to...

...the stern, as the raveling net LIFTS from the water's  
surface...

...the face of Carl Heine. Turned to the sun. SMASH CUT to...

**INT. CORONER'S LAB - DAY**

WHITE fills the frame. A hand PULLS back the blanket-shroud  
revealing Carl's face. As CREDITS CONTINUE, tilt up to the  
coroner, HORACE WHALEY, gazing down. A shading of regret behind  
the professional mask. A series of QUICK CUTS...

...Whaley's hand pulls the SHUTTLE of TWINE from Carl's pocket...

...examines the open, empty KNIFE SHEATH at Carl's belt...

...Carl's wrist, its WATCH stopped at 1:47...

Whaley bends over Carl's body, presses on his solar plexus,  
watching pink FOAM rise from Carl's mouth and nose. And then.  
He sees something more. His fingers gently pull back the hair  
from above Carl's left ear, to reveal...

...a skull wound. The bone caved in. Four inches across.

**EXT. SAN PIEDRO ISLAND - DAY**

Snow falling on cedars.

**SUPERIMPOSE: DECEMBER 6.**

The heavens descend softly onto our island. Exquisite, silent,  
hypnotic. An epic snowfall inspiring awe at our frailness  
against  
the limitless scope of nature. As CREDITS CONCLUDE, a series of

**QUICK ANGLES...**

...cars pirouetting, skating on their tires, past an abandoned school bus, where kids throw snowballs at its windows...

...Fisk's Hardware Center, its endless queue of orderly citizens waiting stoically for their snow shovels and kerosene...

...the harbor, with its moored fleet of tiny fishing vessels blanketed as if by volcanic ash, a pair of teenage lovers building a snowman at the edge of a dock, she pushes the boy into the water, and he rises laughing, steam rising from his clothes...

...undulating strawberry fields of pure white, untouched and flawless as the Sahara...

Finally, to a public building, cars gathering as best they can, people streaming up snow-laden steps to the entrance, and as we FOLLOW them, SMASH CUT to...

**INT. COURTROOM - DAY**

CLOSE on impassive EYES. They are Asian. We have seen them before. PULL BACK to see...

KABUO MIYAMOTO. Early 30's, dark blue suit, clean shirt. He sits ramrod straight, utterly motionless, expressionless, the eye of a storm of movement in...

...the assembling COURTROOM. A packed gallery of buzzing locals, the scent of anticipation. A bank of REPORTERS and PHOTOGRAPHERS, cosmopolitan in attire, bearing themselves as jaded dignitaries from the civilized world. As we PAN their ranks...

**ISHMAEL (V.O.)**

It was the first murder trial on the island in thirty-one years.

...we look over the right shoulder of ISHMAEL CHAMBERS, early 30's, dark, a rugged, somber man jotting notes on a pad which rests on his right leg.

**ISHMAEL (V.O.)**

Our only newspaper was the San Pedro Review, a four-page weekly that I operated alone.

He glances blandly at his nonchalant colleagues.

**ISHMAEL (V.O.)**

What, I wondered, could the Seattle boys know of the hearts of these people...

To the JURY BOX. Truck farmers, grocers, fishermen, in sober neckties. A waitress, a secretary, fisher wives in Sunday dresses.

**ISHMAEL (V.O.)**

Neighbors, sitting in judgement. On their neighbor.

To the neighbor. The ramrod-still defendant.

**ISHMAEL (V.O.)**

Kabuo Miaymoto sat with the rigid grace of a Samurai warrior. As if detached from his own trial.

Ishmael writing on the pad balanced precariously on his knee, until...

**ISHMAEL (V.O.)**

Did he know how dangerous his demeanor could be? With this jury.

...it falls with a CLATTER of pages. He reaches with his right hand, replaces the pad on his thigh. Around him, CAMERAS are being swung to the ready. Ishmael looks to see...

...a slender WOMAN of refined beauty, entering the courtroom. A few flashes POP, and Ishmael's right hand retrieves a venerable box camera from beneath his seat, as his notepad falls once more, unheeded.

**ISHMAEL (V.O.)**

Hatsue Miyamoto had been without her husband for 77 days.

Ishmael pivots, and we understand his struggle with the notepad. For he is forced to rest his camera on the stump of his amputated left arm, its empty sleeve pinned at the elbow.

**ISHMAEL (V.O.)**

He was in jail. When his baby son learned to walk.

Through his VIEWFINDER, we see HATSUE take her place in the first

row. And sensing her presence, her husband turns. Their eyes meet. A string of FLASHES...

But none from Ishmael. He hesitates. As if considering whether he will violate this woman's privacy. The camera lowers. HOLD on his face...

**INT. COURTHOUSE CORRIDOR - DAY**

MATCH CUT to Hatsue's face. Staring, impassive, empty. PULL BACK to see that she sits alone on a wooden bench by the courtroom door. Her hands rest delicately on the purse in her lap. Her demeanor as removed from this place as is her husband's.

**ISHMAEL (V.O.)**

Earlier, I noticed her in the corridor.

PULL BACK to see him alone, in shadow. It is more than a notice. Ishmael stares with fixed intensity at the motionless woman, as she gathers her thoughts. A moment of decision. He approaches. Stops, respectfully, at a distance which will not invade her personal space. And softer than we might have imagined...

**ISHMAEL**

Are you all right?

She turns her head only slightly. It is enough. Her voice quiet and firm at once...

**HATSUE**

Go away, Ishmael.

There is no anger. Only directness and resolve.

**ISHMAEL**

Please don't be like th...

**HATSUE (softer)**

Go away.

**INT. COURTROOM - DAY**

PAN the back of the courtroom. Twenty-four citizens of Japanese ancestry fill the last row, dressed in their most formal clothes. Shades of Atticus Finch. As one, the Japanese-Americans watch...

...the prosecutor, ALVIN HOOKS, a crisp, even dapper man. There is a quickness about the eyes, a tendency to sharpness of manner, that he works carefully against...

**HOOKS**

...four inch gash, skull crushed,  
and your thought was, what...?

JUDGE FIELDING, tall and gray and rawboned, leans on his elbows, his eyelids droop slightly, a deceptive masking of keen attention.

**HOOKS (O.S.)**

That he...fell? Hit his head on  
the gunnel going over?

The witness is Sheriff Moran. He answers as if this were a sincere question. As if he had never heard it before.

**MORAN**

Well, Carl was six-four, went 235.  
He was a grizzly bear and an able  
seaman...

Ishmael watching. Thinking on that.

**MORAN (O.S.)**

For him to just...go over. Crush  
his skull like that on the way in...

HOLD on Ishmael.

**INT. TEAM BUS - DAY**

Teenage BOYS in football uniforms. They ride with their helmets in their laps.

**ISHMAEL (V.O.)**

He was a mountain, all right.  
Anchored the line for us little  
fellers.

CLOSE on Carl and Ishmael at 18, riding together. Ishmael, dark and rugged even then, is scarcely little. But dwarfed by the blond giant at his side, who glares out the window, at...

**CARL**

Chambers. Y'see the geese?

...snow geese landing in low flooded wheat. The grace of it holds both boys.

**CARL**

Picture'd be nice. In your pa's paper.

Ishmael nods absently. They stare, side-by-side.

**ISHMAEL**

Lucky I got the camera in my helmet.

They never look at each other. They never smile. But you can almost hear one in...

**CARL**

Careful, Chambers. That was almost a joke.

**INT. COURTROOM - DAY**

Hooks now stands with his polished shoe up on the witness podium. Like chatting with the Sheriff across the back fence...

**HOOKS**

And you weren't there, when the coroner examined the wound.

**MORAN**

Nossir. I'd gone to tell the wid... to tell Mrs. Heine.

And his glance inevitably goes to the first row behind the prosecutor's table. Taking the glances of the jury with it. SUSAN MARIE HEINE is pretty and blonde and full-bodied in her modest black dress. Composure and dignity. Against her grief.

**EXT. HEINE HOME - DAY**

Moran climbs from his vehicle, as Carl's young SONS dash around the corner of the house. Seeing the Sheriff, they stop cold. Silent, shirtless, barefoot.

**MORAN**

Hey there, men. Is your mother home a-tall?

He spits his Juicy Fruit into a wrapper. And as the younger boy nods across the distance...

**SUSAN MARIE (O.S.)**

Sheriff Moran, hullo.

She has appeared in the doorway, smiling, spittle-marked baby's diaper across her shoulder. And he smiles back. Tells the boys...

**MORAN**

You go on and play, now.

But they don't. So he follows into her entryway, closing the door behind him. And at the foot of her curving staircase...

**SUSAN MARIE**

What can I do for you, Sheriff,  
Carl's not home y...

**MORAN**

That's...

Too quick. He stops himself. And she sees that.

**MORAN**

It's why I'm here. I'm afraid I  
have some...very bad news to tell  
you, the...worst...kind of news.

She looks at him, uncomprehending, the smile only beginning to fade, before...

**MORAN**

Carl died last night. In a fishing  
accident. In White Sand Bay.

She only blinks. As if translating the words from a foreign language.

**SUSAN MARIE**

No, Carl's fine, h...

**MORAN**

We found him, Mrs. Heine. Tangled  
in his net.

And with these words, a slack, blank look crosses her face, and she stumbles back one step, sitting down HARD on the bottom stair of



her curved staircase.

He doesn't know what to do. She digs her elbows into her lap,  
and  
begins to rock, very slowly, wringing the diaper in her hands.  
Her  
face is more terrible than tears. It is frightened. She murmurs  
to herself, so that we can barely hear...

**SUSAN MARIE**

I told him this could happen.

**INT. COURTROOM - DAY**

CLOSE on Hooks, nodding. As if, slowly, digesting something in  
his  
mind.

**HOOKS**

So, no...immediate suspicion,  
no...general talk of enmity  
between the two.

**MORAN**

These are fishermen, Alvin. They  
don't talk at all to each other  
and less to me. Specially gossip.

**EXT. DOCKS - DAY**

Ishmael walking down the sunlit wharf. Purpose in his stride...

**ISHMAEL (V.O.)**

A gill-netter works through black  
nights with only himself to talk  
to. And learns to be silent.  
They were lonely men and products  
of geography.

Up ahead, the Susan Marie has been brought to dock. Moran stands  
chatting with a knot of six or seven FISHERMEN.

**ISHMAEL (V.O.)**

...men who, on occasion, realized  
that they wished to speak, but  
couldn't.

As he arrives, Moran smiles a thin greeting. Not happy to see  
him.  
Of course, neither is anyone else.

**MORAN**

Figure you'da heard by now.

a Ishmael shakes his head in silent helplessness. WILLIAM GJOVAAG,  
sunburned, big-bellied, tattooed gill-netter, clamps on his damp  
cigar butt.

**GJOVAAG**

You go fishing, it happens.

ISHMAEL (to Moran)

You see Susan Marie?

**MORAN**

I did. Boy.

**ISHMAEL**

Three kids. What's she going to do?

GJOVAAG (disgusted)

Well, what can she do? Jesus Christ.

**ISHMAEL**

Excuse me, Gjoavaag.

**GJOVAAG**

I don't need to excuse nothin'.

Fuck you anyhow, Chambers.

Everybody laughs. It is all good-natured, sort of.

**ISHMAEL (V.O.)**

Like the Sheriff, I did not work  
the sea, and could never merit trust.  
Or respect.

**MARTY JOHANSSON**

Sheriff's been askin' which boats  
followed Carl out last night...

MORAN (quickly)

Only to see if somebody talked to  
him out th...

**ISHMAEL**

So who talked to him? Out there.

Staring. At each other. Eye contact holds during...

JAN SORENSEN (heavy Danish)

So far, we figured the guys who went  
to Ship Channel Bank, was Jim Ferry,

Hardwell, Moulton, Miyamoto...

GJOVAAG (spits)

Japs.

**MORAN**

All right, look, if you see these boys...

**GJOVAAG**

Never saw you so hard-ass, Art.  
Ain't this just an accident?

Moran finds his eyes drifting to Ishmael's. Which are right there,  
waiting. Moran looks away.

**MORAN**

Course it is, but a man's dead,  
William. I got to write my report.

ANGLE...Ishmael and Moran, walking alone back up the wharf. The Sheriff is worried. Finally...

**MORAN**

I'm not gonna see some article  
about an investigation, am I?

ISHMAEL (quietly)

You want me to lie?

**MORAN**

No, I wanna be off the damn record,  
that's what I want.

No answer. They keep walking.

**MORAN**

I mean, if there is a killer, why  
would you want him all alerted?

Silence. Silence. And slowly...

**ISHMAEL**

Let's say...someday I need some  
cooperation from you on this thing.  
Do I get it?

And looks over. Like the guy holding all the aces.

**INT. COURTROOM - DAY**

Moran fidgets on the stand.

**NELS (O.S.)**

No sign of a struggle, you say.

SEE him now. NELS GUDMUNDSSON, attorney for Kabuo Miyamoto,  
stands  
beside his impassive client. Nels is 79, blind in his left eye,  
a  
little shaky. His body is winding down.

**MORAN**

Well, the coffee cup was layin' right  
in the middle of the floor, like I  
said. And with a fella so neat as  
Carl, that did seem peculiar.

And Nels begins to walk toward him. Limping, as he comes.

**NELS**

As peculiar as a struggle between  
a 235 pound man, and an assailant  
strong enough to subdue him...that  
leaves only a single overturned cup  
in its wake?

**HOOKS (O.S.)**

Objection, asking the witness to  
speculate.

**NELS**

My gosh, Alvin, was I supposed to  
object every time you did that?

A real. Friendly smile.

**JUDGE (wearily)**

That's quite enough horseplay,  
Nels, why don't you act your age?

**NELS**

If I did that Your Honor, I'd  
be dead.

Some gentle laughter. Judge Fielding doesn't even bother to look  
annoyed.

**JUDGE**

Any more homely loveable tricks,  
and you'll be worse than that.  
Proceed, gentlemen.

**HOOKS**

There's an objection, Your H...

**JUDGE**

And it's overruled, answer the question. If you can recall it.

**MORAN**

Maybe the assailant straightened the cabin. And forgot the cup.

**NELS**

Right. In the middle. Of the floor.

**MORAN**

Maybe.

Nels nods to himself, as if considering that. So that the jury will do the same.

**NELS**

I think you testified all the lights were on. Cabin, mast, net lights, picking lights...

**MORAN**

Yessir, there'd been real heavy fog.

**NELS**

And yet you started the engine right up. With all those lights drawing all night, the batteries had that much charge. Did that strike you odd?

**MORAN**

Didn't think about it at the time. So no, it didn't strike me odd.

**NELS**

Does it now?

**MORAN**

A little. Yes. You have to wonder.

**NELS**

You have to wonder.

And lets that sit. Scratches his neck.

**NELS**

You found three batteries, you say. A D-6 and D-8 in the well. And a spare D-8 on the cabin floor. Correct?

**MORAN**

It is.

**NELS**

Now I did some measuring down at the chandlery. A D-6 is one inch wider than a D-8. It would be too large for the deceased's well.

**MORAN**

He's done some on-the-spot refitting. You could see the side flange was banged away to make room for the D-6.

**NELS**

But he had a spare D-6, you said. Right there. Why not use that?

**MORAN**

It was dead. We had it tested. Maybe the D-6 was the spare and he had to use it.

Ah.

**NELS**

Maybe he carried a spare that was too large to fit. So he'd have to bang out the flange to squeeze it in?

No answer to that. The silence rests.

**NELS**

Sheriff, how many batteries and what size did you find on defendant's boat?

**MORAN**

Two D-6's. That's the kind his well was fitted for.

**NELS**

No spare.

**MORAN**

No.

**NELS**

So the defendant went out fishing for the night with no spare battery, hmmn?

**MORAN**

Apparently.

**NELS**

I'm curious. The D-6 that was refitted into the deceased's well. Was it exactly the same brand and model as defendant's?

A beat.

**MORAN**

I believe so.

**NELS**

Now you've testified that the deceased was a heavy man, and hard to bring out of the net.

Stops. Thinking.

**NELS**

Is it possible his head struck the transom, or the stern gunnel, or the net roller, as you were bringing him in?

**MORAN**

I don't think so.

**NELS**

You don't. Think so.

**MORAN**

He was heavy, but we were real careful. But I don't remember him hitting anything, anywhere.

**NELS**

You don't. Remember.

And clears his throat.

**NELS**

Operating this winch you'd rarely

operated before, doing this awkward job of bringing in a drowned man of 235 pounds...is it possible. Possible that he struck his head after death. Possible?

**MORAN**

Possible. But not darn likely.

NELS (turns to jury)

No further questions.

And limps back to the defendant's table. Where Kabuo Miyamoto sits watching him.

**INT. COURTROOM - LATER**

Horace Whaley, the county coroner, folds his stork-like limbs uncomfortably. Searching for the appearance of ease.

**HOOKS**

...so when the sheriff returned, you showed him the injury to the deceased's head.

**WHALEY**

He said, 'Could it be somebody hit him?' And I said, 'You want to play Sherlock Holmes, here?'

Shakes his head, with a wry, disgusted smile.

**HOOKS**

Did you say more?

**WHALEY**

I said that if I was playing Sherlock Holmes...I'd maybe look for a... Japanese person. With a bloody gun-butt. A right-handed fella, to be precise.

**HOOKS**

And why. Is that?

Slight shrug.

**WHALEY**

Well, I was a doctor in the Jap theater, in the war. I saw those kendo wounds, many times. Looked



exactly like this one.

**HOOKS**

Could you tell me what 'kendo' is?

**WHALEY**

Japanese stick-fighting. They're trained as kids, y'know. To kill with sticks.

And the prosecutor's eyes drift to the defendant. So that the jury's will do the same. HOLD on Kabuo's regal bearing. His neutral mask.

**HOOKS (O.S.)**

No further questions.

**EXT. STRAWBERRY FIELDS - DAWN**

Mist of early light. Two dark figures, little more than silhouettes, measuring each other with their lethal bokken staffs.

We may think of Luke Skywalker and Darth Vader, for one is a full-

grown man. The other, eight years old. Dialogue plays in subtitled JAPANESE...

**ZENHICHI**

Hips, stomach, cut. Stomach muscles tighten as stroke advances...

And STRIKES a fearsome blow, which the child REPELS with startling

proficiency. We can see ZENHICHI's stony face, now. If he is impressed by his son, he does not show it.

**ZENHICHI**

Elbow soft, or there is no follow-through. You cut your bokken off from the power of your body, unl...

WHAP! WHAP! WHAP! The boy LASHES fiercely, the man parrying each stroke with blinding ease.

**ZENHICHI**

Hips sink more. Less weight on the heels, so tha...

CRASH! The father has sent a blow in mid-word, FLINGING the child

like a doll. The boy BOUNCES up, snatching his bokken into ready

position.

ZENHICHI (very quiet)  
Zenshin. Is constant awareness.  
Of dang...

WHAP! The child has unleashed a blow at the left side of his  
father's HEAD. It has been blocked. The staffs rest against  
each other, just above Zenhichi's ear. There is no anger in either  
warrior. That we can see.

**ZENHICHI**  
Elbow soft. A little better.

LATER...father and son sit on the ground, eating a small meal.  
The sun has risen, angling light across the undulating fields.  
They are alone in beauty. A long silence. Dialogue in subtitled  
**JAPANESE...**

**ZENHICHI**  
You can be good with the bokken.  
If you begin to concentrate.

Eyes on his food. As if alone, as if speaking to himself. The  
boy darting glances, unseen, at his father's profile.

**ZENHICHI**  
You must choose now, Kabuo. At eight  
years. If you want this.

KABUO (boldly)  
I want it.

The father keeps eating. Never turns.

**ZENHICHI**  
Then speak quietly. So you may be  
heard.

**INT. COURTROOM - MORNING**

Whaley stares down the end of his needle-nose. The air of  
disdain of a man playing chess with an unworthy opponent.

**NELS (O.S.)**  
So this...foam you found in the  
lungs. How does it get there?

**WHALEY**

As I testified. It occurs when water, mucus and air are mixed by respiration. I believe I said that.

NELS (slightly confused)  
But a drowned person can't breathe.

**WHALEY**

Of course not. The foam means that he went in breathing.

Ah.

**WHALEY**

That's why the autopsy report identifies drowning as the cause of death.

**NELS**

Meaning that he wasn't murdered first, say on the deck of the boat, and then thrown overboard.

**WHALEY**

Well...

**NELS**

Your report says death by drowning, which means he went into the water alive and breathing. And the report is accurate...?

WHALEY (bristles)

Of course it's accurate, but...

**NELS**

Of course, it is. Now as to the head injury. You say made by an object narrow and flat. That is your inference, correct?

WHALEY (really pissed)

It's my job to infer, that's what coroners do. You get hit with a crowbar, or a ball-peen hammer, or fall off a motorcycle, the injuries look different, that's my area of expertise.

Nels nods. He can be quiet now. The witness distracted from volunteering the opinions Nels did not wish for.

**NELS**

In your motorcycle example. Those injuries are produced by the head being propelled against an object. Rather than the reverse, yes?

**WHALEY**

Obviously.

**NELS**

Can you tell whether an object moved against the head, or the other way around? Or would both look the same.

**WHALEY**

The same.

**NELS**

So if his head struck something narrow and flat, the gunnel of a boat, a net roller, a fairlead, could that have...

**WHALEY**

If the head was moving fast enough, but I don't see how it could be.

**NELS**

Is it possible?

**WHALEY**

Sure, anything's poss...

**NELS**

Is it fair to say that you do not know for certain which it was.

**WHALEY**

I already said that, b...

**NELS**

And that you can't say for certain whether the head injury was sustained before or after death?

Whaley thinks.

**WHALEY**

For certain, no.

**NELS**

But you are certain that he died

by drowning.

**WHALEY**

For the third time, yes.

Nels nods. Whaley is beyond frustrated.

**WHALEY**

Can I say something, here?

**NELS**

Yes, you can tell me about the minor cut you found on the deceased's right hand. The report says 'recent origin'. How recent? As much as 24 hours before death?

**WHALEY**

Absolutely not. Probably one or two hours. Four at the most.

A pause.

**NELS**

Are you absol...

**WHALEY**

Yes, I'm sure.

Nels nods. Silence.

**NELS**

Thank you, Horace. No more questions.

Horace wants to say more. Doesn't immediately move.

**JUDGE**

We'll take our luncheon recess.  
Reconvene at...2 o'clock sharp.

The gavel CRACKS onto the block. Judge Fielding stands to leave, and the BAILIFF begins to usher the jury from its box. Abel Martinson, the deputy, stands near as Kabuo rises. As he puts his hand gently on Kabuo's arm, the defendant turns smoothly...

...to face a woman. Standing at the rail. And beneath the courtroom buzz...

**KABUO**

How are the kids?

The voice so colloquially American, we are taken back. Having envisioned Kabuo as a silent Samurai.

**HATSUE**

They need their father.

The look holds. Abel increasingly uneasy.

**KABUO**

Well. Just a few more days.

ABEL (coughs)

Look, Art's gonna want me t...

KABUO (ignoring him)

You look beautiful.

Abel grasps his arm.

**HATSUE**

I look terrible. Don't sit so straight like Tojo's soldier. The jury will be afraid of you.

He thinks about that. Abel tugs him.

**KABUO**

Okay, I'll hide under the table from now on. That make you happy?

And for the first time. He smiles. And seems suddenly very American indeed. She stares back, her heart in her eyes. Abel tugs harder, but he can't budge the defendant.

**KABUO**

I'm not going until you smile.

But she doesn't. So his fades. One last look. And he lets Abel lead him away.

HOLD on her. Watching him go.

**EXT. MANZANAR INTERNMENT CAMP - NIGHT**

Stars above a desert. Wind gusts. PAN barbed wire, rows of dark barracks blurred by swirling dust, to...

...a fragile tar paper structure, its 'walls' rippling precariously. And inside, to see that it is...

**INT. BUDDHIST CHAPEL - NIGHT**

...a makeshift sanctuary. Candles, offerings of fruit. A young COUPLE together before a Buddhist PRIEST. Kabuo and Hatsue. Becoming one.

**INT. BARRACKS - LATER**

A cramped, ramshackle room. Dust blowing through gaps in the flimsy beams. Kerosene light. FUJIKO IMADA hangs the last of the woolen army blankets to divide the room in half, as her four youngest DAUGHTERS watch. We PUSH THROUGH the blankets to the other side, to see...

...the newlyweds. Standing at a window in their wedding clothes. Kissing. Slow and full. Until she whispers into his ear...

**HATSUE**

They'll hear everything.

And her young husband turns. Speaks to the curtain.

KABUO (loud)

There must be something good on the radio!

She giggles. His hands trace her body.

KABUO (louder)

Wouldn't some music be nice?

And in a moment. The MUSIC begins. Glenn Miller. A song that sent our boys off to war. And our young American prisoners...

...begin to undress each other. Her slender fingers find the buttons of his shirt, deftly undoing it, as he kisses her face. He unclasps her dress. And as it falls from her shoulders, falls to the floor, we PUSH INTO her eyes, and...

INTERCUT her MEMORY of...

...a beach. Two 10-year-old CHILDREN floating on the water. Clinging to a wooden box, with a glass bottom for fish-watching. The girl is Asian. The boy is not.

**HATSUE**

Ishmael. See the yellow one?

And the boy wriggles around, leans over the box, as if seeking a better view. And KISSES the girl. Full on her startled mouth.

BACK TO...the newlyweds. On their cot now. Close together.

Naked

and hungry for each other.

KABUO (loud)

Can the music be louder, please?  
We can't hear so good in here!

The girl laughs soundlessly. And as the music BLARES, he has  
slid his body above hers. A whisper...

**KABUO**

Have you ever done this?

A whisper back, sure and strong...

**HATSUE**

Never. You're my only.

And as he enters her. As she holds him close with all her  
strength. Her lips breathe into his ear...

**HATSUE**

...so right.

**INT. COURTROOM - DAY**

Hatsue watching her husband disappear through a door. RACK FOCUS  
to see across the way. A man stares at her.

**ISHMAEL (V.O.)**

Course, we grew up together.

**INT. IMADA PARLOR - DAY**

Hatsue at 12, sits with an OLD WOMAN who guides her silently,  
exquisitely, through the ritual of the tea ceremony.

**ISHMAEL (V.O.)**

Her mom had this Mrs. Shigemura  
come on Wednesdays. Teach her  
how to be Japanese.

The woman turns the cup in her hands. One-quarter turn. Bows  
slightly, as she presents the tea.

**ISHMAEL (V.O.)**

Dances, calligraphy. Doing her hair.  
How to sit without moving...

**EXT. HOLLOW CEDAR - DAY**



Hatsue and Ishmael, both 12, are sprawled on the ground, sheltered in the hollowed-out base of a cedar tree. They watch the rain as it pummels the woods around them. She is speaking, carefully, thoughtfully. He listens with complete attention.

**ISHMAEL (V.O.)**

She would tell me stories of this woman and her lessons. As if complaining, or at least explaining her world...

He shifts his position, his body brushing against hers, which makes him reflexively pull away. She seems not to notice.

**ISHMAEL (V.O.)**

But I always fantasized. The lessons were for me.

**INT. BEDROOM - DAY**

Hatsue sits at a bedroom mirror. Mrs. Shigemura watching analytically, as Hatsue weaves her hair into a thick plait.

**MRS. SHIGEMURA**

No. You must never look at a man directly. This is part of grace.

The girl smiles a small sour smile. Speaks quietly...

**HATSUE**

I don't think the boys on this island. Are impressed. By grace.

The old woman studies her without irritation.

**MRS. SHIGEMURA**

Hakujin know nothing of life, Hatsue.

Apparently, the girl has heard this before.

**MRS. SHIGEMURA**

This is why they fear death. Because life here is separate from Being.

The girl takes a long pin. Begins carefully to fasten her hair. Breaking eye contact with the mirror.

**MRS. SHIGEMURA**

It is why they have no soul.

Is the girl even listening? The old woman's voice never rises.  
Remains patient.

**MRS. SHIGEMURA**

Life embraces death, includes it.  
This truth brings tranquility. You  
must see yourself...

**HATSUE**

...as a leaf. On a great tree.

No irony in the girl's voice. No disrespect. The old woman  
reads  
the young face in the mirror.

**MRS. SHIGEMURA**

The pin. Could be better placed.

**INT. SAN PIEDRO REVIEW - DAY**

CLOSE on 12-year-old Ishmael. Neutral eyes. Eating an apple. A  
horrific CLANGING surrounds us. The clash of metal on metal.

**ISHMAEL (V.O.)**

My lessons came from my father. They  
were different. Or seemed so, at the  
time.

See ARTHUR CHAMBERS now, at the printing press, an enormous lime  
green contraption, with rollers and conveyor pulleys in a cast-  
iron housing. The shrieking of metal and gears recalls an  
ancient  
locomotive.

**ISHMAEL (V.O.)**

He operated the Review alone, with  
an integrity and passion for principle  
that made him a figure of respect. If  
slightly larger than life.

Arthur is a large, rugged man, with round gun-metal rimmed  
spectacles and garters on his shirtsleeves. He wears the soft,  
perpetual smile of an Oxford Don, as he gracefully ducks in and  
out of the machine, inspecting plates and printing cylinders.

**ISHMAEL (V.O.)**

He never spoke of wanting me to  
succeed him. And, in truth, it was  
the last job on earth I thought I'd  
ever want.

his The boy rises now. Sets his apple carefully aside. And under  
father's supervision, takes his place operating the press. His  
arms inches from the fearful clatter of the rollers.

**ISHMAEL (V.O.)**

When I was five, he casually mentioned  
that if his sleeve got caught in the  
press, he'd be instantly popped open  
like a child's balloon, and splattered  
across the walls.

Watch Ishmael running the monster, coolly, efficiently, with  
complete concentration.

**ISHMAEL (V.O.)**

Even his bones would disappear, to  
be discovered later on the floor,  
as strips of white confetti.

Arthur turns away, lest his son feel a lack of confidence. Picks  
up the boy's apple. A crisp BITE.

**ISHMAEL (V.O.)**

Which, of course, made me certain that  
life would have no meaning until I  
could run that teakettle.

**EXT. MAIN STREET, AMITY HARBOR - SUNSET**

Arthur and Ishmael, now 17, strolling Main Street in the midst of  
what seems a festive carnival.

**ISHMAEL (V.O.)**

He was, for better or worse, the  
only God in my life. I guess it's  
our nature to resent those we know  
we can never measure up to...

They are passing modest parade floats, booths with food and  
games.

A genial crowd of farmers, fishermen, families, both races  
heedlessly mingling. A community. Arthur unselfconsciously  
slips

his arm over the shoulder of his tall son.

**ISHMAEL (V.O.)**

...which keeps us from accepting  
the warmth. The way we should.

Up ahead, a crowd has gathered at the steps of the courthouse.  
Something's up.

**ISHMAEL (V.O.)**

Every summer, after harvest, the Strawberry Festival was Dad's favorite story to cover. Good news was his preference. Making him an oddity among journalists.

As we approach, we see a ceremony begin at the top of the courthouse steps.

**ISHMAEL (V.O.)**

Highlight was crowning the Strawberry Princess. Always a Japanese girl, sort of an unwitting virgin sacrifice to the concept of racial harmony.

We are there now. Arthur pulling down the same box camera  
Ishmael  
would use years later. Focusing up at the MAYOR, as he places  
the  
crown on the radiant young girl...

**ISHMAEL (V.O.)**

Senior Year. It was Hatsue.

And as the applause ripples through the crowd. As the Strawberry Princess acknowledges her subjects, her eye falls on...

...Ishmael. She drops him a wink. And a special wave.

**ISHMAEL (V.O.)**

She winked at me. In public.  
Which was unusual.

**EXT. SOUTH BEACH - DAY**

Two 14-year-olds alone on a beach. Digging for clams in the mud.

**ISHMAEL (V.O.)**

I had kissed her once, when we were ten. Looking at fish through a glass-bottomed box. It was just an impulse, and no big deal.

Ishmael pulls back from the deep hole, to make room for Hatsue to reach down. We can see her fingers explore the shell of the dug-  
in  
geoduck clam.

**HATSUE**

He's still got a good grip. We

need to dig more.

**ISHMAEL (V.O.)**

At school, she kept mostly to the Japanese kids, and sort of ignored me. As if all of our times alone together...in the hollow cedar, everywhere...were a secret.

They are digging now, together. Carefully.

**ISHMAEL (V.O.)**

I told myself that was good. That it made our friendship special. And didn't mean she was ashamed of it. Necessarily.

**HATSUE**

Easy. Slow is best.

Gently, she begins to dislodge the clam from its lair.

**ISHMAEL (V.O.)**

I thought about her. Sometimes, all the time. I knew I was unhappy. But I knew if I told her...

She lifts it clear. And as she admires its size and roughness with her fingertips. As she washes it in the shallows. He watches her movements.

**ISHMAEL (V.O.)**

It might be a mistake. I could never correct.

**ISHMAEL (quietly)**

I like you.

The words make her turn. Not startled, exactly. Alerted. But neutral, without affect.

**ISHMAEL**

Do you know what I mean, Hatsue? I've always liked you.

There is no answer. He leans slightly closer, and she looks down. This is the moment. Afraid and driven, he moves slowly to her face. And puts his mouth against hers. She lets him and, encouraged, he pushes harder, making Hatsue...

...lose her balance, and planting a hand beneath the water to support herself, eyes closed too tightly, she kisses Ishmael for a long moment, before...

...leaping up, snatching her clam pail and running AWAY down the beach like a deer. He stands slowly. To watch her go.

**ISHMAEL (V.O.)**

I knew in my heart that we would love each other forever.

His face is slack and unsmiling, but he is helpless with happiness. Contemplating this truth.

**ISHMAEL (V.O.)**

The way she kissed me. She knew it, too.

**EXT. IMADA FARM - DUSK**

Ishmael crouching at the edge of the farm, in near-darkness.

**ISHMAEL (V.O.)**

She avoided me for a week.

Across the distance, the screen door opens, light slips across the porch. Hatsue appears with a wicker basket, to take the laundry from the line.

**ISHMAEL (V.O.)**

So this way, I could see her without...bothering anyone.

He watches, rapt, as she unpins and folds the clothes, clenching the clothespins in her teeth. Then reeling the line again, elegant hand over elegant hand...

**ISHMAEL (V.O.)**

I was certain everything would work out.

She corrals the long sweep of her hair, knotting it deftly, before heading inside.

**ISHMAEL (V.O.)**

And frightened.

**EXT. STRAWBERRY FIELDS - DAY**

Children working fields in sunlight. Kneeling in the rows.  
Hatsue  
with a half-dozen Japanese girls, her hair loose, her face  
lightly  
sheened with sweat. She works with efficiency and grace, filling  
her flat.

Three rows away. Ishmael watches. The fear not far beneath the  
surface of his quiet, dark features.

**ISHMAEL (V.O.)**

By two weeks, I knew I had made  
the defining mistake of my life.

Hatsue's gaze drifts slightly in this direction, and Ishmael  
looks  
DOWN rapidly at his work. Cheeks burning, certain she is  
watching.  
Which she is not.

**ISHMAEL (V.O.)**

I'd ruined everything.

LATER...end of day. The young pickers turning in their flats as  
a  
gentle rain begins. Hatsue counts her money, slips it into her  
pocket, and...

...runs lightly off, into the growing rain. Ishmael sees.  
Stricken to his soul with longing. And indecision.

**EXT. CEDAR GROVE - DAY**

Hatsue, drenched, alone with her thoughts in the protection of  
the hollow cedar. The rain is driving now, and she glances up.  
At something we don't see. And watches it. Finally...

**HATSUE**

You followed me, huh?

PULL BACK to see him. Rain pelting off his poor soaked form.  
She  
is waiting for an answer. So...

**ISHMAEL**

Sorry. It sort of...happened, I  
just...I followed you. I'm sorry.

She pulls her hair behind her ears. A movement which stretches  
her

body.

**HATSUE**

I'm all wet.

is She starts refastening her hair now, looking away. He comes inside, crouches as respectfully far from her as he can. Which close. He watches her, watches her, and...

**ISHMAEL**

I'm sorry I kissed you on the beach.

No reaction. As if she hasn't heard. Now his heart is beating straight through his chest.

**ISHMAEL**

Let's just forget about it. Forget it happened.

finger She picks up her damp straw hat. And, eyes down, tracing a finger around its brim...

**HATSUE**

Don't be sorry. I'm not sorry about it.

his His heart bursts within him. And he struggles to keep it from his face. Even though she isn't watching.

**ISHMAEL**

Me neither.

She turns her face to him, and offers a small smile. It is genuine, and therefore dazzling to the boy. She lies back on the ground. Her eyes so unafraid and direct.

**HATSUE**

Do you think this is wrong?

He swallows. Staring at her lying there so comfortably.

**ISHMAEL (V.O.)**

The best part was that there was a 'this'. To debate the wrongness of.

**ISHMAEL**

Your friends would. Your dad would kill me with a machete.



**HATSUE**

We're Japanese, not Mexican, Ishmael.  
He'll slice you up with a ceremonial  
sword.

Ah. Better. They are both grinning now.

**HATSUE**

My mom. Would be the problem.

**ISHMAEL**

Why? We're only talking.

Her eyes flicker. The synapse that a woman can offer a man.

HATSUE (softly)

Sure.

And touches his hand. With her fingertips. The barest  
whisper...

**HATSUE**

I can't hear you.

Thus invited, he leans down over Hatsue. Kisses her mouth with  
all the tenderness in him. This time, her eyes close gently. And  
her body arches slightly, into his.

**ISHMAEL (V.O.)**

We kissed for half an hour, that  
first time. And I knew there would  
never be another day like it.

Rain POUNDING now. A curtain of water, sealing them from the  
world.

**ISHMAEL (V.O.)**

No matter how long I lived.

**INT. COURTROOM - DAY**

CLOSE on Ishmael, once more in the row of reporters. Absently  
kneading the stump of his amputated arm. The way some men drum  
their fingers.

**HOOKS (O.S.)**

...you were acquainted with the  
defendant and his family.

ETTA HEINE is a linebacker in a dress. Stout and German and wary.

She is 57, and pulls her hem down tight below her knees.

**ETTA**

Him and his folks and two brothers  
and two sisters worked our land.  
Lived in a picker's cabin at first.

**HOOKS**

So the defendant knew the deceased,  
your son, even then.

**ETTA**

They fished t'gether. Went to school.  
Carl Junior treated him like a white  
person. Like any friend.

Said not with pride, but regret.

**HOOKS**

But the dispute began. With the  
father, yes?

**INT. HEINE FARMHOUSE - DAY**

Etta twenty years younger, watches stoically from the parlor window, as her husband CARL SENIOR strolls the strawberry fields with Kabuo's father Zenhichi. Carl is a huge rawboned man, and puffs a pipe as Zenhichi stops, sweeps his arms this way and that.

Etta knows trouble when she sees it.

**INT. KITCHEN - LATER**

Etta pours her husband's coffee. It is very quiet.

**ETTA**

Don't sell, Carl. You'll regret it.

**CARL SR.**

Only seven acres, and the worst  
seven, at that. They're decent  
folks. They got five hunnerd to  
put down now.

**ETTA**

Don't go wavin' new church clothes  
at me. We're not such paupers as  
sell to Japs, are we? For what, a  
pouch of fancy pipe tobacco?

She walks about the kitchen with her arms folded. Too upset to be still.

**CARL SR.**

They work hard, live clean, don't spend nothin'. Even kind to the Indjuns. People is people, comes down to it.

Etta turns sharply. Glares at the big man. He just blinks blandly, puffs his pipe. She can see this ship has sailed.

**ETTA**

You wear the pants, doncha? Go ahead, sell our land to a Jap and see what comes of it.

**INT. COURTROOM - DAY**

Hooks pacing, slow and calm. This part needs to be clear.

**HOOKS**

But back in '34, Japanese-born could not own land. So...?

**ETTA**

Carl held it for 'em. Called it a lease. They make payments every June and December...

**HOOKS**

Why? If they could never take title.

**ETTA**

Their kids was born here. So when the oldest, that one there, was twenty...last payment gets made, and he could own it.

She folds her hands. Looks Kabuo square in the eye.

**ETTA**

But they missed their last two payments. So that was that.

**INT. FARMHOUSE KITCHEN - DAY**

Carl Sr. and Zenhichi sit at the table. There is coffee. But it is untouched. Etta watches by the stove.

**ETTA (V.O.)**

March 1942, orders came down. Japs

had eight days before the Army was  
gonna cart 'em off.

Carl lights his pipe. Compassion in his broad weathered face.

CARL SR. (softly)  
Eight days. It ain't right.

**ZENHICHI**

We must leave everything. If you  
like, you can work our fields, sell  
berries, keep the money. Otherwise,  
they just rot.

**ETTA (V.O.)**

Japs are shrewd. Offer berries he  
can't use. Soften us up about those  
two payments still to come.

And sure enough, Zenhichi produces a neat stack of bills. Puts  
them on the table.

**ZENHICHI**

Today, I have \$120 toward next paym...

**CARL SR.**

Absolutely not, Zenhichi. I'm not  
gonna take your savings at a time  
like this.

The small man spreads the bills out. On the table.

**ZENHICHI**

Please, you take. Then, I send more  
from where I'm going. If not enough,  
you still have seven acres strawber...

**ETTA**

Thought you was givin' us those.

And everything. Stops.

**ETTA**

Didn't you come in here givin' them  
away? Now you want \$130, after our  
labor and fertilizer. Is that what  
you come here hopin' on?

Zenhichi keeps his anger within. His face is stone.

**ETTA (V.O.)**

I spit on him, and he's pretending

it didn't happen that way. How could anyone trust people like that?

**ETTA**

You want more coffee?

**ZENHICHI**

No, thank you. Take money, please.

But Carl is staring at his wife. She stares right back. Carl turns, slides the money toward Zenhichi.

**CARL SR.**

Etta's been rude to you, and I apologize for that. You keep this money, and those payments will work out fine. Somewhere down the road.

**INT. PARLOR - TWILIGHT**

Silence. Palpable. Two figures sit at opposite ends of this darkening room, each under a lamp. Carl Sr. is reading the paper.

His face is stone. Etta at a small writing desk strewn with bills and ledgers. Her face is angry.

A screen door opens. Slams shut. Big footfalls coming. No one looks up.

**CARL JR.**

Look at this!

He stands in the doorway. A bamboo fishing rod in his giant hand.

**CARL JR.**

Kabuo loaned it to me. Til he gets back.

And his parents stare back him.

**CARL JR.**

It's great for sea-run cutthroat. The ferrules are smooth, silk wrapped.

**ETTA**

Take that back. And do it now.

The big young face is stunned, hurt.

**CARL JR.**

I told Kabuo I'd take ca...

**ETTA**

Those Japs owe us. I don't want  
nothin' confusing that.

The boy looks to his father. Who says nothing.

**ETTA**

I said now, boy. Supper's in  
forty minutes.

Crestfallen, defeated, the boy backs away. Hear his footfalls.  
The screen door SLAM hard.

And Carl Sr. looks at his wife. No sound, until...

**CARL SR.**

We ain't right together.

The words are flat and straight. Etta stoic.

**CARL SR.**

You and me. We just ain't right.

**INT. COURTROOM - DAY**

Hooks settles back. His butt on the edge of the prosecutor's  
table. The soul of patience and clarity.

**HOOKS**

You said neither of the last two  
payments were made. But your husband  
told defendant's father that he could  
pay them...what, 'down the road'.

And straight back...

**ETTA**

Road ended October 1944, when my  
husband passed away.

She nods. That's all there was to it.

**ETTA**

I sold all the land to our  
neighbor, Ole Jurgensen. Got  
a fair price, this time. And...

Straightens her spine. To deliver the clincher...

**ETTA**

Sent all their equity back to those Japs down in California. Which I didn't have to do. Specially since my boy was out in the Pacific, gettin' shot at by Japs at the time.

Hooks pauses. As if drinking this in.

**HOOKS**

Now defendant's father had also died by that point. Where was the defendant? When you sent his family their equity.

**ETTA**

In the war. Europe, I believe. They could hardly send him to the Pacific, could they?

Kabuo watching the woman. Eyes as hard as her own.

**HOOKS**

And when he came home. Did he write you about this? Or phone, perhaps.

**ETTA**

Just showed up at my door, big as life and twice as mean. Wanted to talk to my son.

**INT. ETTA'S APARTMENT, AMITY HARBOR - DAY**

Kabuo stands at the open door. No one is inviting him inside.

**ETTA**

He's over the ocean, fighting the Japs. They're just about licked.

**KABUO (quietly)**

Just about.

And there it sits.

**ETTA**

When Mr. Heine passed away, I couldn't farm the place myself, could I? You're gonna have to talk to Ole about...

**KABUO**

I just did. He didn't know we were

one payment away. You didn't tell him Mr. Heine promised my fath...

**ETTA**

I was s'posed to tell him there's some illegal contract muddling things up? You folks didn't make your payments. In America, bank comes in and repossesses your land. I didn't do anything wrong.

Kabuo stands. Calm, unblinking.

**KABUO**

Nothing illegal. Wrong is a different mat...

**ETTA**

Get out of here.

**KABUO**

You sold our land out from under us, Mrs. Heine. You took advantage of the fact that we were gone. You...

SLAMM. The door has closed in his face. And Kabuo stands there. As if deciding.

Whether to break it down.

**INT. COURTROOM - DAY**

Hooks standing at the jury box now. Looking at them, as he asks...

**HOOKS**

What do you mean by 'dirty looks'?

**ETTA**

Well. Every time I see him in town or somewhere, he's starin' at me with these narrow eyes. Givin' me his mean face.

**HOOKS**

When your son came back from the war, what did he say about all this?

**ETTA**

That he'd keep an eye on Miyamoto. Watch out for him.



**HOOKS**

Did he see some danger from defen...

**NELS**

Objection. Asking witness to speculate about deceased's state of mind.

**HOOKS**

All right. What did your son say to that effect?

She looks up. As if trying to recall.

**ETTA**

He said he wished Kabuo would forget about his seven acres, and stop lookin' at us cross-eyed.

Hooks stares at the jury. Holds the moment.

**HOOKS**

Your witness.

And goes slowly back to his seat. Nels waits until his opponent  
is seated. Then, rises.

**NELS**

Just three questions. The Miyamoto family bought your seven acres for **\$4500?**

**ETTA**

Tried to. Defaulted on their payments.

**NELS**

Second question. What did Ole Jurgensen pay you per acre?

**ETTA**

A thousand.

**NELS**

So that makes what would have been \$4500 into \$7000, doesn't it? If you sent the equity back, you had a profit of \$2500.

**ETTA**

Is that your third question?

**NELS**

It is.

**ETTA**

You done your math right.

The old man wears a thin, cold smile.

**NELS**

You, too. No further questions.

HOLD on Kabuo. As he watches Etta rise heavily from the box.

**EXT. DEEP FOREST - FIRST LIGHT**

Mist of moments before dawn. As tendrils part, there is enough light to see...

...eyes. They are Asian. They are razor-keen. PULL BACK to reveal...

...Kabuo alone in G.I. gear and helmet. Rifle up high, sweat on his face, moving soundlessly, turning in a circle as he goes, until...

...he stops. A heartbeat of silence. Then...

...the BLAST of automatic tracer TEARS through trees, as he WHIRLS and RETURNS FIRE in a single motion, until...

Silence.

His heart is pounding. He waits. Waits. Weapon at the ready, he pushes THROUGH the dense foliage to see...

...the 15-year-old German SOLDIER, splayed on the forest floor, his chest torn and bloodied. Kabuo's gaze LOCKS with the boy's. The young soldier's empty left hand reaches out in a plea, and as Kabuo steps forward, the boy's right hand comes suddenly...

...INTO view, metal GLINTING in motion, as Kabuo...

...BLOWS the boy AWAY with staccato rifle BURSTS that JUMP the already-lifeless body like an electric jolt. And falling from the kid's hand, not a pistol, but...

...ID TAGS.

No expression on Kabuo's face. None at all. He moves on.

**INT. COURTROOM - DAY**

OLE JURGENSEN wobbles slightly in the witness box, hands resting on the cane planted unsteadily between his frail legs. His eyes leak water, his beard is wispy and unkempt.

**HOOKS**

Were those his exact words?

**OLE (shaky)**

He say Mrs. Heine robbed him.  
Mr. Heine never woulda let no such ting like that hap...

**HOOKS**

Robbed. He was angry.

**OLE**

Oh, yeh. He said someday he would get his land back.

Hooks nodding. Nodding.

**HOOKS**

Mr. Jurgensen. Did he offer to buy the seven acres from you?

**OLE**

Oh, yeh. But this is nine year ago, I had my healt, I wasn't wantin' to sell.

**HOOKS**

And then your stroke came this summer. And you put your property on the market, I believe you said September 7. Which, remember, is eight days before Carl Heine died. And who comes Spetember 7, wanting to buy?

**OLE**

Carl Heine came.

Hooks pauses. Lets that sink in.

**HOOKS**

But Carl was a fisherman. And successful at it.

**OLE**

He said he didn't want that life no more. He'd been saving to buy a farm. He was sorry I got sick. But pretty excited to get back his father's place.

The old man's head bobs. Recalling.

**OLE**

Liesel and me. Was happy for him.

Hooks smiles. As if he would be happy, too. Anyone would be.

**HOOKS**

And later, that same day. Only eight days before Carl Heine died. Did another prospective buyer appear?

**EXT. FARMHOUSE PORCH - DAY**

Ole sits in a wicker chair at a wicker table. His wife LIESEL is setting out cold drinks. But their visitor stands rigid, disbelieving.

**LIESEL**

I'm sorry to tell you, we took his earnest money, he shook Ole's hand. Come November, he'll sell his boat, and take over the farm.

Kabuo is thunderstruck.

**KABUO**

But your sign...

**OLE**

We din't have no time to take it down. He just come ten o'clock.

Kabuo nods. His voice is soft, but his eyes are steel.

**KABUO**

It's my fault. I should have come earlier.

He looks so odd, perhaps he's ill. Liesel looks concerned.

**OLE**

If you want t'buy them seven  
acres. Carl Heine's the only  
fella can sell 'em.

**INT. COURTROOM - EVENING**

The witness box is empty. The snow outside the windows is  
falling  
in darkness. And Judge Lew Fielding is leaning his frame toward  
the jurors...

**JUDGE**

I apologize for keeping you folks  
from your families in a storm like  
this. I do hope you'll be reasonably  
comfortable in the hotel tonight. And  
one more thing...

He smiles softly.

**JUDGE**

This Court takes judicial notice of  
the fact that tomorrow is the 13th  
anniversary of the attack on Pearl  
Harbor.

Slight pause. To make sure they are listening.

**JUDGE**

Which has no relationship to this  
trial. Which is why I mention it.

Gavel CRACKS down.

**JUDGE**

10 o'clock tomorrow, folks. Stay  
warm.

**INT. COURTHOUSE CORRIDOR - MINUTES LATER**

Hatsue walks briskly down the crowded hallway, her eyes searching  
the benches lining the corridor ahead. Her view obscured by the  
crowd hurrying to fight the storm. Suddenly...

...she stops. Because there. On a bench. Sits Ishmael. Next  
to  
him, a round Japanese-American baby boy of 11 months. Before  
him,  
squat the boy's sisters, eight and four. All are watching  
Ishmael...

...manipulating a COIN. It rolls across his knuckles and back

again, with amazing dexterity. Then, he snatches it into his palm.

Holds up his fist. All little eyes are glued. The fist...

...opens. It is EMPTY. There are GASPS.

**ISHMAEL**

Know where it is?

They don't.

**ISHMAEL**

It's in my other hand.

The four-year-old LAUGHS. Her big sister socks her. And Mom steps

in. The man looks up, with the sweetest smile.

**ISHMAEL**

Your mother went to the bathroom.  
She said I could show them a trick.

**FOUR-YEAR-OLD**

HE DOESN'T HAVE A OTHER HAND!

Hatsue is not smiling. Nor is she angry. Even awkward comes to her in a graceful way. She scoops up her son.

**HATSUE**

Thank you for your help.  
(to the girls)  
Let's go find obaasan.

And without even glancing at him, she heads off at a brisk pace. The girls following. The four-year-old turning back to wave once.

And then they are gone.

**INT. JAIL - NIGHT**

Kabuo stands outside the open steel door of his tiny cell, as Abel

Martinson clumsily unfastens the manacles. A cot, a toilet without

a seat, a bare bulb hanging from a wire. No windows to the outside

world. Only the small barred one in the cell door. As the manacles fall away...

...Abel removes two objects from his pocket.

**ABEL**

This is from Nels, I can't see the harm. Don't tell Art, okay?

Hands him two CANDY BARS. A Snickers. And a Baby Ruth. Kabuo looks at them...

In spite of himself. Kabuo smiles. Remembering...

**INT. JAIL - DAY**

Kabuo sits in jailhouse overalls on the edge of his cot. Motionless. On a private journey of the mind. The door CLANGS open...

**MORAN**

This here is Nels Gudmundsson, he's your attorney.

Kabuo looks over. That flat, unsmiling gaze. The old man has a folded chessboard and a Havana cigar box under his arm. Their eyes lock, as if the Sheriff weren't even here. And Moran leaves, closing the door with respectful quiet.

Nels doesn't smile, doesn't speak. Opens the chessboard on the cot. Opens the cigar box filled with chess pieces, two cigars, a Snickers and a Baby Ruth. He puts the candy bars by Kabuo's pillow, a silent gift. Begins to set up the chessboard.

**KABUO**

What makes you think I play?

**NELS**

Your daddy played. I asked, down at the Japanese Community Center. You smoke cigars?

And offers one up, rough and black.

**KABUO**

I'm not sure. I better check down at the Center.

Kabuo smiles only with his eyes. Nels nods, maybe you better. Lights his own cigar. Puts the matches and the other cigar at Kabuo's side.

**NELS**

White or black?

**KABUO**

You mean, do I like to take the

offensive? Or hang back and wait.

That seems answer enough for Nels. He turns the board around to where he has white, and makes the first move.

**NELS**

Nice. When two fellas understand each other.

Kabuo picks up the cigar. STRIKES a match.

.....  
white. Kabuo moves a black bishop. Nels' eyes shoot around the table. He reaches and KNOCKS OVER Kabuo's black king. Kabuo blinks, studies the board silently. Then smiles.

He unwraps the Snickers bar. Breaks it in half. Hands one piece across to his lawyer.

**SERIES OF ANGLES...**

RAPID CUTS, different days, Nels in different suits, chess pieces in different positions, each time Nels reaching to topple Kabuo's king. The last time...

Kabuo has to study the board for a beat. Shakes his head.

**KABUO**

You must think I like losing.

**NELS**

I think you like learning.

And leans his old bones back against the hard wall.

**NELS**

Me, too. That's why I come.

Pulls out two cigars. Kabuo looks at them.

**NELS**

Bet there's a few things you could teach me. Kendo, for one.

**KABUO**

Sure. I could take a fishing gaff and split your head open. Right above your left ear.

No smile. Steady gaze.

**KABUO**



You wouldn't even see it move.

**NELS**

You're wonderin'...how come I never ask. If you did it.

Hands one cigar. Across the chessboard.

**NELS**

Now, you've told me you killed four men. In Germany. So I know you are the kind of man who can kill. When there's a reason.

KABUO (very quiet)

Guess I am.

Takes the cigar. Rolls it between his thumb and forefinger.

**NELS**

You feel guilty. That you took their lives. That's in your eyes.

STRIKES a match.

NELS (softly)

Jury sees what I see. More often than not.

Reaches stiffly. Kabuo bends toward him. Accepts the flame. Takes a puff.

**NELS**

Prosecutor thinks. What was your reason? To kill Carl Heine.

Kabuo says not a word.

**NELS**

Well, there is the land itself. Raise your children where you were raised. Sleep with your wife at night, 'stead of bein' alone on the sea.

Brings the match to his own cigar. Careful. Expert.

**NELS**

There's fairness and honor. You were cheated by that old bitch. Boy, she is something.

KABUO (simply)  
She's not alone.

Worlds within those words.

NELS (a murmur)  
None of us are.

And in those.

**NELS**  
And prejudice, like you say. Your  
people locked in a concentration  
camp. You go off to fight for our  
country's freedom. Come back to this.

Shakes his head.

**NELS**  
But Mr. Hooks has missed the one  
reason. One reason. You coulda  
done it.

A flicker. Behind the defendant's eyes.

**NELS**  
I read you Etta Heine's deposition.  
So I could watch your mind. Like I  
do when you move your rook, or when  
I move mine.

A smile now. Very kind. Very sad.

**NELS**  
And you weren't thinking about her.  
Or about land. Or about you.

No, you weren't. And in the gentlest voice...

**NELS**  
No, someone cheats you, you can  
rise above that. You're a family  
man. You put them ahead of you, hmmn?

He sighs. But...

**NELS**  
Wasn't you she dishonored.

And the old watering eyes are rock steady now.

**NELS**

Your father was a strong and  
tireless man. Honest to a fault.  
Kind, and humble as well...

There is a silence. And then...

KABUO (real quiet)  
Nice. When two fellas. Understand  
each other.

They let that sit.

**NELS**  
Now this jury is gonna be lookin'  
at the evidence with one eye.  
And at you with the oth...

**KABUO**  
Mr. Gudmundsson, we know what  
that jury is looking at.

He won't let his eyes lie to this man.

**NELS**  
Your father needs you. To return  
to your family.

Silence.

**NELS**  
So every time you think about  
showing that jury strength. Or  
honor or composure. Or dignity.

**KABUO**  
I should show them an American?

Nels sees the rage. It breaks his heart. It makes him feel old  
and helpless.

**NELS**  
Show them an innocent man.

What he stares at now. Is a neutral mask. As powerful and  
opaque  
as the voice is quiet.

**KABUO**  
Shame you couldn't play chess with  
my dad, sir. He'd kick your ass.

**INT. ISHMAEL'S APARTMENT - NIGHT**

Through glass, snow is tumbling in endless cascades, the world dwarfed by a descending heaven. A sound, a strange soft CLICK. PAN across...

...the small, well-kept bachelor apartment. Neat stacks of books on the floor, catching the overflow of shelves crammed full. Someone likes to read. Another soft CLICK. To...

its ...the kitchen now, along the floor. An awkward high-top SHOE, buckled straps above elastic LACES that fasten across the instep. The shoe steps on a crude wooden PEDAL. And we hear another CLICK.

PAN up along a vertical strip of mesh WIRE to...

...a plywood CONTRAPTION, held by a partially closed drawer. A piece of spring steel holding a set of NAIL CLIPPERS.

of Ishmael inserts his pinkie carefully. CLICK. Finishes clipping the fingernails of his only hand. And looks out. At the magic white.

**EXT. HOLLOW CEDAR - DAY**

other Safe within their haven, the 18-year-olds kiss and hold each other urgently. Their tongues exploring each other's mouth, her legs open beneath her skirt, pressing her body up against him.

**ISHMAEL (V.O.)**

I gave her all of my soul to love.  
I knew someday we would live in  
France. Italy. Somewhere. Far  
from the things that upset her.

crook ANGLE...later, they lie so quietly. Her head nestled in the crook of his arm, he gently plays with her hair. Her face so still, so thoughtful and grave.

**ISHMAEL (a murmur)**

You don't have to be so tragic,  
you know.

Ah. Her dark eyes flicker.

**HATSUE (dry)**

Kind of magical, the way you know  
how to comfort a girl.

She cuts the irony by sending her fingertips to stroke his.

**HATSUE**

I can just feel my spirits soar.

**ISHMAEL**

Well, I don't do it for just anybody.

And kisses her head. But her eyes still stare off into the tangle of her worries. He draws a breath...

**ISHMAEL**

There can't be any wrong in this, Ha...

**HATSUE**

I lie to my parents every day. And every night.

His light tone against the fear...

**ISHMAEL**

Well. Since I never told your folks, I guess I'm lying to 'em, too. But you don't hear me complaining about it.

She winds her fingers with his. Loyalty against her doubt. Very soft with...

**HATSUE**

I'm in awe. Of your strength.

**INT. SCHOOL BUS - DAY**

Hatsue sits with the Japanese kids. Ishmael with his friends. The bus filled with stone-faced teenagers listening to the DRIVER, who brandishes his newspaper at the Japanese side of the bus...

**DRIVER**

...not just Pearl, they're attackin' all over the Pacific, the whole fleet's destroyed. The FBI's in Seattle right now...

And pauses. His eyes moving from one Japanese face to the next. Are you listening?

**DRIVER**

...arresting Jap traitors, the spies and everything. There'll be a blackout tonight, so keep your radios off. So the Japs don't pick up no signals. You get the message?

Stares them down. Until, from across the bus...

**ISHMAEL (O.S.)**

Hey, Mr. Lamberson, over here!

The driver's eyes snap around. The tall boy is waiting.

**ISHMAEL**

I have a radio, too. Don't you want to be sure I got the message?

Ishmael sees the anger. He's not afraid of it.

**ISHMAEL**

Just checking.

**INT. SAN PIEDRO REVIEW - LATE NIGHT**

The horrid CLANGING of the great rattletrap press, Arthur Chambers ducking nimbly among the rollers.

**ISHMAEL (V.O.)**

It was a special edition, an extra. My father wrote, 'These people are our neighbors, they have sent their sons to the United States Army...'

Print flying onto paper as it rolls through the green metal gauntlet.

**ISHMAEL (V.O.)**

'They are no more an enemy than our fellow islanders of German or Italian descent.'

Belary-eyed Ishmael, pulling finished copies from the bin. As he stacks them for delivery, he reads aloud, above the CLASH of metal...

ISHMAEL (sleepy and loud)

**LET US SO LIVE THAT, WHEN IT IS OVER,  
WE CAN LOOK EACH OTHER IN THE EYE.  
AND KNOW WE HAVE ACTED HONORABLY.**

Big yawn. It's really late. He turns, and sees...

...his father. Staring at him.

**ISHMAEL (V.O.)**

I guess courage never inspires the young. Until the danger of it bites their butt.

**EXT. WOODS - TWILIGHT**

They walk slowly up the path. An arm around each other's waist, their bodies brushing as they go...

**HATSUE**

My father can't get our money from the bank. We have a few dol...

**ISHMAEL**

It'll be over soon. I can get you money.

She stops. By a weathered fence, covered in vines. It's growing dark.

**HATSUE**

It's not going to get better, okay?

She sighs. He moves close, looks so grave.

**HATSUE**

They arrested Mr. Shirazaki, because his farm is near a navy transmitter. And his family can't leave their house.

What can he say.

**ISHMAEL**

It's just Pearl Harbor. People are a little crazy, right n...

**HATSUE**

Look at my face. It's the face of the people who did that. My father hardly speaks English. We're in bad trouble, you have to see that.

He reaches. Touches this face that he loves with all his heart. Forces up a smile.

**ISHMAEL**

Maybe we can fix your eyes.

She leans up. CROSSES her eyes in a goofy expression. Then  
kisses  
his mouth. When she pulls back...

**ISHMAEL**

Don't let this hurt us, okay?  
Whatever happens.

And she studies this boy. Knowing more than he can ever  
understand. And chooses to whisper...

**HATSUE**

It won't. You'll see.

**INT. IMADA FARMHOUSE - NIGHT**

Hatsue and her older daughter are setting the farmhouse table, as  
snow drifts down beyond the window. Plates and flatware.  
Glasses  
and napkins. Slowly, in silence, as if a ritual bonding mother  
and  
daughter. She glances to the next room...

...her mother Fujiko plays with the babies. Her father HISAO  
reads  
the paper. Smoking his pipe.

And Hatsue is motionless for a moment. Watching him.

**INT. IMADA FARMHOUSE - DAY**

CLOSE on Hatsue at 18, staring with silent anger greater than her  
fear.

HISAO (O.S. shaky)

We are loyal.

PULL BACK to see the room. Hatsue and her sisters side by side,  
staring at the table. On it rests a shotgun, four boxes of  
shells,  
a ceremonial sword. An FBI AGENT, a small man in a dark suit, is  
tagging each item. He wears a light, perpetual, insincere smile.

**FUJIKO**

Everyone on the island has  
these things.

Fujiko at her husband's side. She is quietly indignant. He is  
frightened.



AGENT (overly casual)  
Well, they'll hold this stuff for  
a little bit, then ship it back to  
you. It's nothing to worry about.

And walks over to the tansu, a chest of drawers, and begins to  
remove items...

**AGENT**  
You folks have been real polite,  
and we'll be outta your hair in  
just a second...

...a silk kimono with gold brocaded sash...

**AGENT**  
That's very nice. From the old  
country, it appears. Very high class.

And lays it on another table. Next to a bamboo flute, a stack of  
shakuhachi sheet music.

**AGENT**  
These are real nice things.  
They'll take special care of 'em.

Hisao sees his wife's sudden alarm. And, as respectfully as he  
can  
manage...

**HISAO**  
The flute is precious. The kimono,  
the music. Must you take th...

**AGENT**  
...oh yeh, any old country stuff,  
we have to take.

And sees on the sofa, an open album. Strolls over.

**FUJIKO**  
This is only my daughter's  
scrapbook. For her memories.

So he picks it up. Doesn't see Hatsue stiffen with repulsion, as  
he wanders, thumbing through it, toward the hallway...

AGENT (calling out)  
Wilson? Don't go pawing through  
the underwear!

And chuckles. He knows they appreciate a joke. It means there's

nothing to be afraid of. Stops turning pages now. Looks up, his eyes moving until they find Hatsue.

**AGENT**

Strawberry Princess, huh? You  
musta been flattered by that.  
Looks just like y...

The soft slamming of a screen door. Another AGENT, large and shambling in his too-small suit, is carrying a crate. And a telling look.

AGENT #2 (quiet triumph)  
Dynamite. Twenty-four sticks.

And the crate BANGS onto the table. Just beside the kimono.  
Lifts  
out two sticks and holds them high. Proof.

**HISAO**

You must believe. This for tree  
stumps. For clearing land.

The small man's smile fades now. First time. And his eyes fix Hisao before he speaks. As if reading his mind.

**AGENT**

Maybe. Maybe. But this is still  
bad, y'see.

Fujiko slips her hand into her husband's. To give him strength.

**AGENT**

It's illegal contraband, you were  
s'posed to turn this stuff in.  
We, uh...

Slight shrug.

**AGENT**

We gotta arrest you. Have to  
take you to Seattle.

Fujiko's breath catches. One of the daughters whimpers. The silence hangs thick and frightening. The bigger agent unhooks a pair of handcuffs from his belt, but...

**AGENT**

Naw, you don't need those. Mister  
Eee-ma-da-san here is a class act,  
a real gentleman.

The younger girls are crying now, clinging to their sisters. The agent regrets this.

**FUJIKO**

Please, reconsider. He has done no bad th...

**AGENT**

Well, nobody knows that yet, do they? So, best for an honest man to clear his name for godd and all.

Ain't that right?

**AGENT**

Only a few questions in Seattle, okay? Few questions, few answers, the whole thing is over.

He puts his hand on Hisao's arm. Not roughly, but much firmer than the ease of his voice...

**AGENT**

Simple as that.

**INT. FARMHOUSE KITCHEN - NIGHT**

Eight pages of a letter, carefully written in Kanji characters, folded neatly on a table.

**FUJIKO (O.S.)**

Why do I read you this distressing letter? From your father. From this hakujin...work camp, it is called. In Montana.

PULL BACK to see mother and five daughters around the table. Even the youngest girls somber, attentive. As if they have aged these past few weeks.

**FUJIKO**

Because you need to know the darkness. In the hearts of the hakuj...

**HATSUE (blurts)**

Not all of them.

The silent wake of her outburst, her interruption, lingers. Her mother studies her.

**FUJIKO**

The whites are enslaved by their egos,  
Hatsue. Each believes his aloneness  
is everything. We seek union wi...

**HATSUE**

...the ones seeking union with the  
Greater Life bombed Pearl Harbor.  
They are not humble. I am not part  
of them, I'm part of here.

Her voice so loud, so insistent. Her sisters are afraid for her.  
To have shown such disrespect. They look down at their hands.

Or

away, as if not hearing.

**FUJIKO (quietly, slowly)**

I see this. This lack of purity  
is a mist around your soul. I see  
it every day, it haunts your face  
in unguarded moments.

The room is still as the grave. The mother's eyes burn silently.

**FUJIKO**

I see it in your eagerness to  
leave here. And walk the woods.  
In the afternoon.

What does she know? Hatsue's heart pounding. And to her  
surprise,  
her mother's voice softens...

**FUJIKO**

If you lose your true self, Hatsue.  
True self...

The stern warning, the unrelenting judgement, has become a plea.

**FUJIKO**

There is no way back.

**INT. ISHMAEL'S KITCHEN - NIGHT**

Ishmael washing his supper plate. His fork and knife. His  
coffee  
mug. His skillet. Hard labor with one hand. And as he works,  
he  
looks at...

...the window above his sink. Darkness and moonlit snow. And his own reflection. CLOSE on his face in the glass, and MATCH DISSOLVE to...

**INT. SAN PIEDRO REVIEW - NIGHT**

...Arthur Chambers. Weary. Worn behind the smile of knowing ease, as he sips coffee from a mug of his own.

His boy sits across from him in the silent press room. Feet up, reading their paper. Its headline, ISLAND JAPANESE ACCEPT ARMY MANDATE TO MOVE.

**ISHMAEL**

See, you bring it on yourself.  
23 ladies honored by the PTA, you  
single out three names. And they're  
all Japanese. That isn't journalism.

ARTHUR (quietly)

Because...?

Ishmael has heard this gently prodding word all his life. He sighs.

**ISHMAEL**

Because journalism. Is just the  
facts.

**ARTHUR**

Which facts? You can't print  
them all. Journalism is balance.  
Finding the facts folks need to know.

The boy looks dryly at his father. SLAPS the page with the back of his hand.

**ISHMAEL**

Hence. The letters.

Arthur closes his eyes. Recites from memory...

**ARTHUR**

'Seems like you're favoring the Japs,  
Art. Writin' all about their  
patriotism and loyalty with nothin'  
'bout the treachery.'

A smile in the voice. A sad one.

**ARTHUR**

'Your newspaper is an insult to all white Americans. Please cancel my subscription and send refund.'

Now the smile is on his face. Even sadder.

**ARTHUR**

The calls are better. 'Jap lovers get their balls cut off and stuffed down their...'

(shrugs)

Missed the rest. Hanging up will do that.

Silence. Two men. Watching each other.

**ARTHUR**

We lost the Price-Rite ads. And Lottie Opsvig's shop, and Larsen's Lumberyard and the Anacortes Cafe. And 30 percent of our subscribers.

A deeper silence.

**ISHMAEL**

Integrity is expensive stuff, huh?

**ARTHUR**

Valuable things. Sometimes are.

Toasts his son. With coffee.

**ARTHUR**

But. I've got the answer.

A wink. A swallow of Joe.

**ARTHUR**

Print four pages. Instead of eight.

**EXT. HOLLOW CEDAR - DUSK**

They lie so close. Their bodies touching, not moving. Their faces inches apart, so that every word is a murmur...

**HATSUE**

You're like me. You've learned

to be devious.

He's never seen her this fragile, this scared. He knows he has  
to be strong for her.

**ISHMAEL**

It's not devious, it's what we have  
to do. You're leaving tomorrow...

He unties her hair. So gently. Tries to keep his smile calm,  
steady...

**ISHMAEL**

You write to my house, and put  
Kenny Yamashita's name on the  
return address. It's no big deal.

He brings his face to her hair. Kisses it.

**ISHMAEL**

You smell like cedar.

Her eyes are wide. They move over his face. A murmured...

**HATSUE**

So do you. It's your smell I'll  
miss as much as anything.

He looks in her eyes. And words come from his heart, before he  
can stop them...

**ISHMAEL**

Let's get married, okay?

Her eyes fill with tears. Are they from happiness?

**ISHMAEL**

I want to marry you. Is that okay?

Her face so still. One tear falls, and he kisses it.

**ISHMAEL (a whisper)**

Just say yes.

No answer. Not knowing what to say, she winds an arm behind his  
head, and brings him nearer. His mouth opens into hers, with  
more force, more of his heart, than he has ever given. Deep and  
tender.  
His hands reach beneath her dress...

...peel her panties down her thighs...

**ISHMAEL (V.O.)**

When something that means your  
whole life. Is the last time ever...

And suddenly, he is OVER her, drawing her legs up around him...

**ISHMAEL (V.O.)**

God should tell you. Or it's not  
fair.

Her head tilts back, her eyes squeeze closed. And as he enters  
her...

ISHMAEL (whispers)

Please say yes...

...her hands GRASP his upper arms. And push away.

HATSUE (softly)

No.

And he blinks. As if waking from a dream. Everything has  
stopped.

Her face is strong and yet overflowing with regret.

**HATSUE**

No. No. It isn't right.

So he draws away. Stunned, uncomprehending. Watching with blank  
eyes, as she stares up at him. Then, with dignity and  
tenderness,  
he helps her dress, his eyes awkwardly away from hers...

**ISHMAEL**

It felt right to me. It felt  
like getting married.

She draws her legs up. Kneeling now, putting her hands on his  
face...

But no words come. No words. Until...

**HATSUE**

I'll write you.

And KISSES him fiercely, and BOLTS up before he can grab her,  
RUNNING off like a deer, while he...

...kneels. His mouth open. Like a silent scream.



**EXT. AMITY HARBOR FERRY - MORNING**

An army truck pulls up behind several others in cold morning air. Hesitantly, looking in all directions, Fujiko, Hatsue, and her four sisters climb from the truck, to see...

**ISHMAEL (V.O.)**

On Monday, March 30, 1942, the United States Army graciously transported the Imada women to the docks.

...a ferry, the KEHLOKEN, stands waiting. Soldiers are distributing tags for luggage and coats. The evacuees, mostly women, stand in the cold, trying to smile bravely for each other. And lined against the railing...

**ISHMAEL (V.O.)**

Lifelong neighbors came to watch. Curiosity masked as kindness...

...a cluster of white islanders gawking as their Japanese neighbors file toward the ferry. A middle-aged woman waves to Fujiko, who casts her eyes down, refusing to acknowledge the greeting. And just as they reach the gangway...

...Hatsue sees Ishmael, who stands at an unobtrusive distance, among a group of students. She pauses. Her eyes hold his for a heartbeat...

**ISHMAEL (V.O.)**

...with some exceptions.

The wisp of a smile. And she is gone.

**EXT. IMADA FRONT PORCH - NIGHT**

Hatsue comes alone onto the white-blanketed porch. Snow is no longer falling. She takes out a cigarette, lights it impassively.

The mannerisms make her seem fully American, despite the porcelain impenetrability of her Asian exterior. She closes her eyes, and...

...draws deep on the smoke. The act seems to cause her pain. When the eyes open, they are frightened, unguarded. Nowhere to turn.

The next puff looks desperate, and she FLIPS the cigarette out onto the snow. Jams her hands in the pockets of her parka, stamps her feet against the cold, the helplessness. And looks out...

...strawberry fields, endless and white, shimmering in filtered moonlight, become...

**EXT. MANZANAR INTERNMENT CAMP - NIGHT**

...a moonlit DESERT. PAN the barbed wire, the distant barracks, the desolation. Come to...

...two women walking alone. The younger one glancing at her mother as they go. Fujiko's eyes unreadable, stare implacably ahead. The barracks, everything, in distance behind them.

**HATSUE**

You think we're far enough away now?

No sarcasm in the voice. She lets the words carry her irony. Her mother stops. Looks at her so directly, so strong. Even her tough-minded daughter flinches slightly.

**HATSUE**

Mom, whatever this is, they don't keep war secrets this carefully.

Fujiko thinks that over. Nods.

**FUJIKO**

Secrets are hard to keep.

She goes over to a large, flat rock. Sits down. Pulls two sheets of paper from her coat. And waits. As her daughter comes and crouches at her feet. Fujiko clears her throat.

**FUJIKO**

This letter. Was opened. By mistake.

And watches. As the shard of fear penetrates her daughter's mask.

Silence. Then...

**FUJIKO (reads)**

'My love. I still go to our cedar tree in the afternoons every day. I shut my eyes, waiting.'

Hatsue has turned to stone. To ice. Wind blows.

FUJIKO (reads)

'I smell your smell. And I dream  
of you. And I ache for you to come  
home. So I can hold you and feel  
you near.'

Fujiko scans the page silently. Turns to the second...

FUJIKO (reads)

'After all these years that we've  
been together, I find you're a  
part of me. Without you, I have  
nothing. All my love, forever...'

And looks up. Her eyes calm, quiet.

**FUJIKO**

The neighborhood boy. Who taught  
you to swim?

The look holds. And holds.

**HATSUE**

You shouldn't have opened that.  
It was mi...

FUJIKO (so quiet)

How deceitful of me.

Anger only at the edges. Like finely-honed steel.

**FUJIKO**

How can I ever hope. For your  
forgiveness.

The wind swirls a cloud of dust between them. They seem not to  
notice.

**FUJIKO**

I have written this letter to  
the boy's parents...

She pulls out a single page. Hands it down to her daughter.  
Hatsue's eyes move quickly over the words.

**FUJIKO**

Attraction is no crime, certainly  
among children. The dishonor  
lies in the concealment. From

your families.

Watches her daughter reading. And quietly...

**FUJIKO**

I know that you know this. I know  
you have suffered. Even if the  
hakujin could not.

Silence. Hatsue's eyes cast down. She folds the page.

**FUJIKO**

There will be no further letters.  
No contact of any k...

And stops. Because Hatsue is TEARING the page in two. She looks  
up. Into her mother's shock.

**HATSUE**

One more letter. I will write  
it. You may read it, and send  
it for me.

Her mother's anger fades. Into interest.

**HATSUE**

I deceived more than you. I  
deceived this sweet boy. And  
myself. It was never love.

Never love. The mother's face changes. There is understanding,  
acceptance. Even pride.

**HATSUE**

I will work hard. To earn your  
forgiveness.

A sigh. A sadness deep, beyond her years.

**HATSUE**

I can never hope for his.

**INT. BARRACKS - NIGHT**

Mother and daughter enter their crude quarters. They find  
Hatsue's  
sisters sitting on the wooden floor, watching...

...a team of young MEN, working with tools and pieces of lumber.  
One is building shelves, two others, a chest of drawers. Their  
leader kneels tacking scraps of tin over the knotholes on the  
floor. One girl beams at her mother...

**SUMIKO**

These boys are buildings us  
a mansion!

The leader grins and rises. Bows slightly to Fujiko. He is, of course...

**KABUO**

I'm Kabuo Miyamoto, Mrs. Imada.

The woman smiles. Bows slightly in return.

**FUJIKO**

We are in your debt, Miyamoto-san.  
How are your parents, your family...?

**KABUO**

My father is sick with the camp  
food. The rest of us are fine.  
Don't speak of debt, please, we  
just want to help.

And glances. To the eldest daughter. In the doorway.

**KABUO**

Hi, Hatsue, remember me?

She looks back, without expression. There is much on her mind.  
His smile is handsome, easy.

**KABUO**

I was a senior when you were a  
junior. But I've seen you around.

She tosses her hair free of the parka. Gathers it in her hands.  
Saying only...

**HATSUE**

Hello.

Can't win a smile, but he doesn't seem to mind.

**KABUO**

Nice to see you.

**EXT. APARTMENT HOUSE REAR PORCH - NIGHT**

Ishmael steps from the building onto the rear porch. He draws  
from his coat a black CIGAR. Box of matches. The cigar goes into his  
mouth. With amazing dexterity...

...he slips a single match from the box, turns his face to the wall, and still palming the box, STRIKES a match on the buckle of his belt, bringing it smoothly to the cigar for a few critical puffs before the match dies. He turns toward...

...the fields. Stretching treeless, endless, seemingly to the horizon. Bathed in filtered moonlight, they become...

**EXT. TARAWA ATOLL - NIGHT**

...the shimmering Pacific. We are with Ishmael in an LCVP landing craft, as his platoon enters Tarawa lagoon. Bobbing past two DESTROYERS firing in waves at the beach. Ishmael and his platoon mates watch with adrenaline-fueled fear as amphibious tractors draw fire on the sand, one exploding in flame.

**ISHMAEL (V.O.)**

Her letter reached me on the North Island of New Zealand. So I had a month to think it over...

Men around him are shouting, cursing, jostling against each other, frightened out of their minds, as SHELLS POUND the ocean, horrify-ingly huge and near.

**ISHMAEL (V.O.)**

I wrote her four times. 'I hate you with all my heart. I hate you, Hatsue, I'll hate you always!'

Suddenly their craft runs AGROUND on the hidden reef. They are still 300 yards from shore.

**ISHMAEL (V.O.)**

I never sent the letters. I wanted to kill as many Japs as possible.

**SQUAD LEADER**

**MOVE IT, MOVE IT, MOVE IT,  
LET'S GO!!**

The SQUAD LEADER goes over the side, Ishmael and others follow, struggling with 85 pound packs. As Ishmael hits the water, the squad leader is SHOT in the face, a man five yards from Ishmael has the top of his head BLOWN AWAY, men are DROPPING in numbers under

the WITHERING BURSTS of fire, the deafening ordnance sweeping  
over  
the SHRIEKS of terror and agony, and Ishmael...

...submerges behind his pack, splashing hard, keeping its bulk  
ahead of him as a shield, until he can wade and swim and plunge  
toward shore, as hellfire CRASHES everywhere, dead bodies  
floating,  
machine-gun blasts WHIPPING the water's surface, Ishmael at...

...the shallows now, men rising to make a run at the seawall,  
being  
CUT DOWN, Ishmael crouching in the water, watching other men draw  
fire, and in a moment's lull, four of them and Ishmael...

...GO for it, lungs BURSTING, pounding MADLY up the sand, one  
SHOT DEAD, another SCREAMS as his knee is blown away and goes  
down  
writhing, as three men...

...MAKE IT to the wall. Gasping, puking, shivering with cold and  
fright. They have no gear, no weapons. One of them is Ishmael.  
He looks back to...

**ISHMAEL (V.O.)**

Eric Bledsoe was bleeding to death.  
Thirty yards away.

Bullets FLYING everywhere, CHEWING up the sand. The young man  
twitching, pleading...

BLEDSOE (crying)  
Oh, shit, please, please help me  
you guys, come on, help me, fucking  
help me, PLEASE...!

And flat against the seawall, three men watch. Not daring to  
look  
at each other.

**ISHMAEL (V.O.)**

I knew nothing could save him. Hell,  
I didn't have so much as a band-aid.  
I also knew I was a coward. For not  
giving up my life to try.

**EXT. SEAWALL - DAY**

Ishmael and his companions have been joined by others. Sixty or  
so men mill in the shadow of the seawall. The beach is littered  
with dead marines and wounded, calling for help. As Ishmael  
glances up, a SERGEANT leaps ONTO the seawall, cigarette dangling

from his mouth...

**SERGEANT**

You pussies are the kinda chickenshits  
deserve to have your balls chewed  
off real slow when this is over!

Stands with his hands on his hips. The men below him properly  
mesmerized.

**SERGEANT**

Any man who won't follow me over  
this wall is a cornhole-fucker with  
a half-inch hard-on wh...

The words CUT OFF by the shell that RIPS THROUGH his spine,  
OPENING  
his shirt front as he PITCHES forward FLAT upon the sand.

No one looks. No one speaks. It never happened.

**ISHMAEL (V.O.)**

I wanted to live. And I didn't  
know why.

**EXT. SEAWALL - NIGHT**

Ishmael has a carbine now and a field machete. PULL BACK to  
reveal  
300 MARINES all down the wall, a striking force assembled from  
the  
survivors of multiple landings.

**ISHMAEL (V.O.)**

Some colonel came down the beach.  
Any man who didn't go over the wall  
at 2100 would be court-martialed,  
disgraced and imprisoned...

Every man lining up now, rifles at the ready.

**ISHMAEL (V.O.)**

The captain who followed said shot  
on sight.

They seem more resigned, or is it stunned numb, than terrified.  
There is no interaction. Each man dealing with his own insides.  
And suddenly...

...squad leaders go OVER THE WALL, the firing ERUPTS, and three  
hundred marines SCRAMBLE into the teeth of it, mortar and  
machine-



gun BARRAGE lighting the sky from the row of battered palm trees, Ishmael SPRINTING, the man next to him goes DOWN, Ishmael TURNS instinctively, and a shot...

...RIPS into his left bicep, SPINNING him OFF his feet in SLO-MO, falling to dirt as all goes...

**BLACK.**

**INT. SHIPBOARD OPERATING ROOM - NIGHT**

Ishmael feverish, writhing unconscious against the straps that hold him to a table. All around him, a hell of men and blood and doctors and limbs and shouted curses they never showed us on M.A.S.H.

**ISHMAEL (V.O.)**

My arm was dealt with by a  
pharmacist's mate, whose surgical  
career was four hours old.

Ishmael LURCHES, his eyes pop OPEN, wild and bleary...

**ISHMAEL (V.O.)**

He used a handsaw.

...seeing there, in a corner, on a pile of blood-soaked dressings...

...his left arm.

**ISHMAEL (V.O.)**

I dream of it, now and then.  
The way my fingers curled.  
Against the wall.

He blinks at it. Realizing at last that the arm is his...

**ISHMAEL (V.O.)**

...fucking goddam Jap bitch!

An ORDERLY turns at the words. Nods. As if he knows.

**ISHMAEL (V.O.)**

It was all I could think of to say.

His eyes squeeze shut.

**ISHMAEL (V.O.)**

There was nothing more to say.  
For a long while.

**INT. KABUO'S CELL - LATE NIGHT**

CLOSE on a dark blue suit. Clean shirt. Hanging on a hook against the green wall. PAN ACROSS the bars in the cell door's tiny window. All is dark out there, and silent. Here...

...the bare bulb glows. Its light throws shadows of castles and horses across the chessboard.

Kabuo cross-legged on the floor, alone. His back erect. His eyes calm. Stare at the pieces.

**EXT. WOODS - NIGHT**

Kabuo at 19 sits on the earth. By a shovel. By a lantern. This place is shielded by trees. PAN across the ground to...

...his father. Slowly, reverently, placing objects into burlap sacks, beside a shallow hole in the earth. Wooden swords, hakama pants, a bokken, scrolls written with care. Dialogue plays in subtitled JAPANESE...

**ZENHICHI**

Your great-grandfather was a samurai, a magnificent soldier.

The father never looks at the son. Only at his work.

**ZENHICHI**

He killed himself. On the battlefield. At Kumamoto.

The boy knows this. Yet his entire being is focused on every word.

**ZENHICHI**

He went to battle with a sword. Against rifles, mind you. Knowing what honor required.

An elegant SWORD. Its curved blade gleaming in the lantern light.

**ZENHICHI**

He was angry. To the point of being crazy, yes. But he knew what honor. Required.

A separate sack, just for this. Folded with respect.

**ZENHICHI**

Honor can require loyalty.  
Revenge. Death.

It goes into the ground. With the others. He seems nearly  
overcome now. By some emotion that sweeps through him.  
Prompting  
the boy to murmur...

**KABUO**

These are safe, father. The  
hakujin will never f...

ZENHICHI (quietly)  
...it is the only scale...

Meaning, be still. So the boy is still.

**ZENHICHI**

Only scale. In which our worth.  
Is weighed.

The man gazes into the hole. At his treasures.

**ZENHICHI**

Every life ends. And if it ends  
dishonored. It is as if...

And turns to his son. To complete the words.

KABUO (in English)  
...we have never lived.

There is love. There is strength. There is no more to say.

**INT. COURTROOM - DAY**

Sheriff Moran sits in the witness box, blade-thin and fidgeting  
ever so slightly. Uncomfortable in the limelight. In his hands  
are four pieces of ROPE.

**MORAN**

Well, this one here comes off  
Miyamoto's boat. Matches all his  
others, worn equal and so on. But  
this one here...

Holds it up for Hooks. So the jury can see.

**MORAN**

...comes off third cleat from the  
stern, port side. And it's brand

new. Unlike the rest.

**HOOKS**

And the next one...?

**MORAN**

From Carl Heine's boat. All his were like this one, three-strand manila, new condition, braided in loops. Not bowlined like Miyamoto's.

**HOOKS**

And the last...?

**MORAN**

Found on Carl's boat, too. Starboard side, second cleat from the stern. But it doesn't match Carl's lines. It matches Miyamoto's. perfect.

Ah. Hooks nods. Significant.

**HOOKS**

So if defendant had tied up to deceased's boat. With that last one. Would those cleats have lined up?

**MORAN**

You bet. And if Miyamoto there had been in a hurry to cast off, he coulda left this line behind on Carl's boat.

**HOOKS**

And replaced it later with the new one. That's your inference?

**MORAN**

Pretty darn clear.

I see. Hooks begins to pace. Toward the jury.

**HOOKS**

And when you visited defendant on his boat. The evening after Carl Heine's death. Did it seem pretty darn clear to him?

**EXT. THE ISLANDER - NIGHT**

Kabuo kneeling at the battery well of his boat. He is sliding a

new BATTERY into place. Beside its older companion. He bolts it down. Starts his engine. He is visibly tense. As he steps onto the deck, he sees...

...two figures at the pilings. Sheriff Moran makes a cutting motion across his throat, as Abel moves to grasp the mooring line.

**MORAN**

Cut your engine, we're coming aboard.

Kabuo doesn't move. The tension has fled beneath the surface. His face now a mask.

**KABUO**

What for, Sheriff?

**MORAN**

We have a warrant. To search your boat.

He holds it up. Abel looks uneasy, as if expecting anything.

**KABUO**

Well, what are you looking f...

**MORAN (calmly)**

A murder weapon. We think you might be responsible for the death of Carl Heine.

Kabuo blinks. As if hearing a foreign language. Words that do not compute.

**KABUO**

Sheriff, if somebody killed Carl, it sure as hell wasn't me.

Moran steps from the dock ONTO the boat, Abel awkwardly following.

**MORAN**

Then let's get this over with, so you can get to fishin'. Now, cut yor engine.

And walks ahead into the cabin, shining his flashlight across everything. Kabuo follows, killing the engine. And in the sudden

silence, Moran's beam finds...

...the still-open battery well.

**MORAN**

You always run with the well open?

**KABUO**

I was checking the cables.

Moran's light moves over the batteries.

**MORAN**

D-6s, huh?

And says no more. Runs his beam once more around the cabin.

**MORAN**

We'll come back, let's take a  
look at the stern.

Off he goes. Kabuo's glance goes to the open well. Then follows,  
noticing Abel Martinson prowling around the bow. But in the stern,

Moran is shining his light. Third cleat. Port side.

**MORAN**

See you replaced a mooring line,  
lately. This one's new.

**KABUO**

Naw, I had that around for a while.

**MORAN**

Sure you did. Help me with this  
hold cover, willya?

So Kabuo slides the cover away. They peer in.

**KABUO**

There's nothin' to see. I need to  
get out there fi...

**ABEL (O.S.)**

Art. Looka this.

He has the fishing GAFF. Three-and-a-half feet long. Steel hook  
at one end. Hands it to Moran.

**ABEL**

There's blood on it.

**KABUO**

Fish blood, I gaff fish with that.

Moran carefully examines the object.

**MORAN**

You gaff with the hook end.  
Blood's on the butt. Where  
your hand goes.

**KABUO**

Sure. Blood gets all over your  
hand, Sheriff, ask any fisherman.

Moran takes out a handkerchief. Holds the gaff with it.

**MORAN**

Gonna have this tested. Now you  
go home, okay? Wait til you hear  
from me.

Kabuo's heart is racing.

**KABUO**

Sheriff, I can't afford not to  
fish toni...

**MORAN**

Look, no way I'm lettin' you out  
there. In a half hour you could  
be in Canada.

Kabuo's face has gone dead. Which makes it seem somehow fierce,  
almost threatening. And the sheriff is watching that.

**MORAN**

I'm sorry, son. But you're under  
arrest.

**INT. COURTROOM - DAY**

Moran still on the stand. The ropes are gone now. His hands  
interlock across his narrow thighs.

**NELS (O.S.)**

Now your testimony was interrupted  
yesterday, when that power line  
set fire to your mother-in-law's  
farmhouse...

Art looks really irritated.

**NELS (O.S.)**

How is your mother-in-law?

**MORAN**

She's alright, Nels, thanks for asking.

**NELS (O.S.)**

And her farmhouse...?

**MORAN**

The damage was considerable. But she's insured. Thanks, again.

See Nels now. Avuncular as hell. Bemused by Moran's annoyance.

**NELS**

Well, just to put it back in our minds, could you repeat what you told us. About the type of batteries you found. One Carl's boat.

Moran sighs. Tries to be patient.

**MORAN**

One D-6 and one D-8 in the well. And a dead D-8 on the deck.

**NELS**

Which you inferred was replaced by the D-6, which must have been a spare.

**MORAN**

What else could it be?

**NELS**

Even though a D-6 is too big, and the flange had to be banged out to squeeze it in.

(beat)

Which makes it a peculiar choice. For a spare.

**MORAN**

You said that. That was your testimony.

Everybody laughs. Including Nels.

NELS (chuckling)

I guess I'm a pretty smart feller,



after all. And what were the type batteries you found on defendant's boat?

MORAN (bland)  
D-6s. Like I sa...

**NELS**  
No further questions.

**INT. COURTROOM - DAY**

DR. STERLING WHITMAN sits in his expensive suit, a giant of a man whose towering frame ill fits the witness box. His eyes are small and blue, and carry the weight of superiority with practiced ease.

**NELS (O.S.)**  
So the blood on the gaff was not fish blood at all. It was human, yes? Type B positive.

**DR. WHITMAN**  
Carl Heine's type.

Nels nodding. Seemingly unconcerned by this fact.

**NELS**  
But you can't say with any certainty that the blood was his.

**DR. WHITMAN**  
No, but as I say, the type is rare. Ten percent of Caucasian males.

**NELS**  
And the blood could not have belonged to defendant. Seeing that his type is O negative.

**DR. WHITMAN**  
That's obvious.

**NELS**  
You scraped the dried blood from the butt of the gaff. Where a fella's hand goes. And what did you see under your microscope, besides the B positive blood and the wood scrapings...?

And the witness stops. A curious question. But Nels is waiting.

With an expectant smile.

**DR. WHITMAN**

Bits of blood and wood. What else would there be?

**NELS**

No bits of bone, no particles of scalp, no strands of hair?

**DR. WHITMAN**

None.

**NELS**

Well, if the blood got onto the gaff by crushing a man's skull...

**DR. WHITMAN**

I'm a hemotologist, sir, I was asked only t...

NELS (gently persistent)  
...would that seem logical?

**DR. WHITMAN**

I don't know.

**NELS**

You don't.

Nels lifts the gaff off the table. Looks at it.

**NELS**

The coroner testified that Carl Heine had a cut. A fresh cut. Probably one or two hours old.

And grasps the butt end. Of the gaff.

**NELS**

On the palm. Of his right hand.

Walks, dragging one leg just slightly, toward the box. And holding the butt of the gaff toward him...

**NELS**

With no bone or scalp or hair present. Would it be more probable that the blood came from crushing a man's skull...

**DR. WHITMAN**

I'm a hemotologist, not a detective.

**NELS**

...or from the cut on his hand.  
Which is more probable?

Whitman won't be badgered. His smile carries only a trace of coldness...

**DR. WHITMAN**

It is not my function. To weigh those probabilities.

Nels looks him over.

**NELS**

You're right.

And turns his back. Walks away.

**NELS**

...that's the jury's job.

**INT. COURTROOM - DAY**

Hooks in pin-stripe serge today. Pommaded hair, glossy wing-tips.  
He is crisp.

**HOOKS**

Now this regiment you were training,  
the 442nd, this was all Nisei boys...

First Sergeant VICTOR MAPLES wears his green dress uniform, splashed with decorations. Thick and powerful, no neck, razor cut.  
The eyes are alive.

**MAPLES**

They were Japanese-American boys,  
yes sir.

**HOOKS**

And you were generally experienced  
in training men for hand-to-hand  
combat.

**MAPLES**

It was my specialty, sir, I trained  
several thousand over the years.

**HOOKS**

So. Wide cross-section of men to evaluate. And the day that the defendant volunteered for this... demonstration. Did you find him eager?

**MAPLES**

More than eager. He was out to make a point.

Hooks finds that interesting. Begins to pace.

**HOOKS**

And what point. Was that.

**EXT. TRAINING FIELD, CAMP SHELBY, MISSISSIPPI - DAY**

The squad of Nisei recruits, one hundred young Asian faces, surround Sgt. Maples. He paces before them, holding up a wooden staff, looking in their eyes...

**MAPLES**

Anyone.

And Kabuo steps forward. Bows slightly. Then salutes...

**KABUO**

**SIR!**

Maples stares. Hard.

**MAPLES**

You don't salute me, you don't call me 'sir', soldier, I'm an enlisted man.

Kabuo stares back. Blank.

**MAPLES**

And nobody bows in this man's Army, you're in America, son. Not Japan.

**KABUO**

I'm sorry, sir, force of habit.

**MAPLES**

No more 'sir'. That's the last of that.

Tosses Kabuo a wooden staff and a helmet. A little hard. As Kabuo slips the helmet on...

**MAPLES**

The exercise is avoiding thrusts.  
Now, first y...

KABUO (quietly)  
Ready, sergeant.

Cut off in mid-word, Maples glares back. Are you? THRUSTS sharply, but Kabuo moves just enough to slip the blow by no more than an inch. Their eyes lock. Suddenly, Maples unleashes...

...a SAVAGE series of THRUSTS at blinding SPEED, and Kabuo...

...SLIPS them all effortlessly, scarcely seeming to move. As a man might toy with a child. Maples studies the face for any trace of mockery. And sees nothing at all. STABS out, only to have Kabuo...

...SLASH Maples' staff from his grasp, with a move so quick as to be nearly invisible. Maples clearly STUNNED by the display.

KABUO (quietly)  
Excuse me.

He bends, picks up Maples' staff, hands it to him. And bows. Slightly. The sergeant is hot. He looks into the faces of this Nisei regiment, searching for a single smirk. There is none.

**MAPLES**

Are you ready for some simulated combat, soldier?

**KABUO**

For combat. Sergeant.

And Maples LUNGES with surprising speed, to be SWEPT off his feet in a BLUR, lying FLAT on the earth, his head PINNED to the ground by the tip of Kabuo's staff.

A hush. Kabuo withdraws his staff. Retrieves Maples'...

KABUO (just above a whisper)  
Your weapon, sergeant.

And bows.

**INT. COURTROOM - DAY**

Maples smiling easily. Like a guy telling the story in a bar.

**HOOKS**

Well, what then, sergeant?

**MAPLES**

What else? I had the boy teach me kendo. Including...the importance of the bow.

Everyone laughs. Maples the loudest. Hooks smiles like a regular Joe.

**HOOKS**

And your evaluation of the defendant? Could he kill a much larger man with a fishing gaff? So quickly, there would be no sign of struggle?

**MAPLES**

Oh, in a heartbeat.

And the smiles are gone. All around.

**MAPLES**

Able and willing. Like few men I've ever seen.

**INT. COURTROOM - DAY**

Hooks sits against the prosecution table. His demeanor gentle, respectful. His voice soft.

**HOOKS**

So the plan was for your husband to fish through the prime season. Then, in November, sell the boat. And you would move onto the farm.

In the box, the widow sits in lovely dignity. Blonde and alabaster and modest, in her black dress of mourning.

**SUSAN MARIE**

That was his plan, yes.

In the press row, the boys are attentive. An angle they know they can sell. Ishmael among them, watching with neutral eyes.

**ISHMAEL (V.O.)**

Whatever she said, she was Hooks' star witness. The jury, especially the men, would not betray this fine lady with a not guilty verdict. How could they face her?

Hooks walks slowly toward her. As if she were a precious object, deserving of reverence.

**HOOKS**

Can you think back for me to the morning of September 8? The day after your husband purchased the farm. One week before his death. Can you recall that morning?

**SUSAN MARIE**

I can.

**INT. BATHROOM - DAY**

A bright bathroom, filled with STEAM, filtering the sunlight.

PUSH

toward the opaque shower door, TOWARD the sound of rushing water. And of breathing. THROUGH it to...

...Susan Marie and her husband. Her arms are wound about his neck.

Her legs wrapped around his body, feet locked behind the small of his back. Carl holds her high with his strong hands, so he can lick her breasts to the rhythm of the slow, slow thrusts. Her wet

blonde hair is pasted across her face, and her eyes are closed. The intensity holds us.

**INT. PARLOR - MORNING**

CLOSE on a paint brush. It rests across the lid of a can of wood stain. See now...

...Susan Marie kneeling by the table she is refinishing. But her hands, her body, are motionless. Her eyes stare out the window...

...across the yard. Her towering husband walks beside a smaller man. Carl is doing the talking. Kabuo's face is stone.

**INT. PARLOR - LATER**

Susan Marie sits quietly in a rocker, nursing her baby. Her hands tenderly stroke the feeding infant. But her eyes are attentive. Concerned.

**CARL (O.S.)**

What could I tell him? There's my mother to think about. You know what she'd say?

Susan Marie knows. What Etta would say.

**CARL (O.S.)**

I said I'd think it over, talk with you.

**SUSAN MARIE**

Did he go away angry?

See Carl now, pacing his own parlor like a caged bear. Agitated in a way we could not have expected.

**CARL**

He kept talkin' about those seven acres belonged to his father, and how honorable and decent his father was. His meaning was pretty clear. And I didn't much like it.

**SUSAN MARIE**

You had a scrap.

Nursing her baby. Calm, direct.

**CARL**

I couldn't...talk to him. Look, Kabuo's a Jap. And I don't hate Japs, but I don't like 'em neither. It's hard to explain if you weren't in the war, you know?

**SUSAN MARIE**

He's not a Jap. You don't mean that. You and he were friends.

And Carl turns. Looks at her. A full beat.

**CARL**

We were kids.



He looks helpless. Frustrated. He doesn't want his anger to spill onto her.

He leaves the room. Without a word. HOLD on her.

**INT. COURTROOM - DAY**

Susan Marie's cornflower eyes are set. Wary.

**NELS (O.S.)**

So your husband said he's think it over. Encouraged Mr. Miyamoto to believe he might sell to h...

**SUSAN MARIE**

I wouldn't say encouraged.

**NELS (O.S.)**

Well, he didn't say 'no', did he? Didn't say no hope existed.

**SUSAN MARIE**

Not in those words.

**NELS (O.S.)**

So the defendant was encouraged to hope. Or could have been.

She thinks about this.

**SUSAN MARIE**

I guess so.

Nels is nodding. Nodding.

**NELS**

I guess you'd have to guess. Not having been there with them. Having to guess whether your husband's report was word for word accurate.

**SUSAN MARIE**

Carl never lied.

**NELS**

Of course not. But it was emotional. A friend's plea set against his mother's attitude.

And then. As if it had just occurred to him...

**NELS**

Those 'dirty looks'. Defendant  
ever aim one of those at you?

**SUSAN MARIE**

He had no reason to.

**NELS**

Carl ever say he got one?

**SUSAN MARIE**

I can't speak for him.

**NELS**

You can speak for what he said.  
Just like you did for Mr. Hooks...

**HOOKS (O.S.)**

Objection, badgering the wi...

CLICK. All the lights in the courtroom go OUT. A loud murmur.

A

FLICKER of light. Then, they go OUT again.

The crowd BUZZES, laughs, the gavel RAPS. The lights come ON. A  
collective sound of relief. The gavel AGAIN. Finally, silence.

**NELS**

Sorry about that, Mrs. Heine.  
Shall I repeat the ques...

**SUSAN MARIE**

Carl said he didn't like Kabuo  
much anymore.

A silence. A deep one.

**NELS**

The question is more about the  
defendant's attitu...

**SUSAN MARIE**

That's all he said.

She arches her throat.

**SUSAN MARIE**

And we can't ask him anymore.

**INT. ISHMAEL'S DESOTO, CENTER VALLEY - TWILIGHT**

Ishmael driving an aged DeSoto through the blanketed strawberry

fields of Center Valley.

**ISHMAEL (V.O.)**

My father had bought the DeSoto fifteen years before. Driving it reminded me of him. Which I considered a neutral fact...

He turns the wheel, using a cherry wood knob, specially mounted for his convenience.

**ISHMAEL (V.O.)**

Actually, it was pleasant.

Following the curve, fields are pure white to the horizon.

**ISHMAEL (V.O.)**

Snow made all the fields into one. The notion that one man might kill another for a small patch, made no sense.

Up ahead, a Willys station wagon has run into a ditch. A middle aged Japanese man is working at a rear wheel with a shovel.

**ISHMAEL (V.O.)**

But I knew such things occurred. Having been to war and all.

The man is Hisao Imada, and we can now see his eldest daughter working with a shovel behind the car. Ishmael pulls up behind them. And gets out.

He crunches over to where Hisao works...

**ISHMAEL**

May I give you folks a lift?

Hatsue has come around the car now, pulling her snowflaked hair from her eyes.

**ISHMAEL (V.O.)**

I didn't look at her. I thought that would be best.

Her eyes on Ishmael's profile, Hatsue goes to her father's side. Murmurs to him in Japanese. When he answers, she turns to face Ishmael...

**HATSUE**

My father is grateful for your

kindness. But he will free his  
car, shortly.

Ishmael smiles softly. This car isn't going anywhere. He goes  
to Hatsue, reaching gently for her shovel.

**ISHMAEL**

Okay, I'll help.

**INT. DESOTO, SOUTH BEACH DRIVE - TWILIGHT**

Ishmael drives with Hisao beside him.

**ISHMAEL**

I know it's caused you trouble.  
But don't you think the snow is  
beautiful, coming down?

His eyes flick to Hatsue in the rearview mirror. She stares out  
the side window, concentrating on the world. Two strands of wet  
hair pasted against her cheek.

**HISAO**

Yes, very beautiful.

Suddenly, her eyes SNAP to meet Ishmael's in the mirror. His  
dart away. Hers hold.

**HATSUE**

This trial is unfair. You should  
write about that in your newspaper.

He keeps driving. And he keeps his eyes on the road.

**ISHMAEL** (calmly)

What should I say?

**HATSUE**

Just that. This trial is wrong,  
they are calling a good man a killer.  
It is only about prejudice, and that  
is unfair.

He thinks. As he drives. Hisao Imada silent beside him.

**ISHMAEL**

We all expect the world to be fair.  
As if we have some right t...

**HATSUE**

I don't mean everyone. Just people who can do things because they can arrest people or convict them. Or run a newspaper.

And his eyes come up. Meet hers in the mirror.

**ISHMAEL**

Maybe I should write a column. What do you think?

She studies his face.

**HATSUE**

What do you think?

No smile. On either side.

**ISHMAEL**

I think people. Should be fair.

His eyes on the road now. The farmhouse seen through the drifting screen of white.

**HATSUE**

Will you write that?

Her voice is soft. The difference is palpable.

**ISHMAEL**

I might just.

His voice is kindness and friendship.

**ISHMAEL (V.O.)**

I was part of her life again. I was a person.

**EXT. COAST GUARD LIGHTHOUSE, POINT WHITE - DUSK**

A tower of reinforced concrete, rising a hundred feet above the sea. Ishmael's hand in his pocket. Trudging toward it.

**INT. LIGHTHOUSE RECORDS ROOM - DUSK**

Ishmael being led into a cramped room, stacked floor to ceiling with wooden crates, file cabinets, duffel bags. Our host is LEVANT, a young Coast Guard radioman nearly six foot six, with a huge Adam's apple, and kinky black hair. He gestures around the room at all the records. Voila.

**ISHMAEL**

You have the night watch? On the radio.

**LEVANT**

Since September. Last guys got transferred.

Ishmael looks around. There is a lot of stuff.

**ISHMAEL**

And you keep the records, or contribute to 'em.

**LEVANT**

Shorthand the radio transmissions, write 'em up, file 'em in a cabinet. Nobody ever looks. Just take up space.

Ishmael nods. Guess so.

**ISHMAEL**

All kinds of radio transmissions? Fisherman in trouble, and such.

Innocent question. Random example.

**LEVANT**

All kinds. Make yourself at home.

And leaves. Ishmael looks at the task before him. Then, out the window. Dark now. His reflection stares back. As troubled as he is.

**INT. PETERSEN'S GROCERIES - DAY**

Ishmael at 24, carrying milk and crackers down the aisle of a grocery store, the empty sleeve of his mackinaw pinned up at the elbow. He turns the corner to see...

...three people in line at the register. The second is Hatsue.

An

infant carried at her shoulder.

**ISHMAEL (V.O.)**

I'd been back two months. It was the first time I'd seen her.

He joins the line. The CHECKER glances his way, then looks awkwardly down. This makes the others turn. And Hatsue's eyes. Meet his.

**HATSUE**

Hello.

The voice, the face, are cool and formal. There is no anger, no unkindness. Only the absence of warmth. Ishmael nods. His face hard, stricken. His heart pounds in his throat.

**ISHMAEL (V.O.)**

I couldn't say anything. I just stood there, hating her.

**HATSUE**

I'm sorry about your arm. Kabuo and I. Are very sor...

**ISHMAEL**

The Japs did it.

No one knows where to look. Down, away, anything. But Hatsue never blinks.

**ISHMAEL**

They shot it off. At Tarawa.

She holds her ground, her eyes soften, somehow. Somewhere between compassion and pity. Her slender fingers stroke the baby at her shoulder.

**ISHMAEL**

I'm sorry, I'm sorry I said that.

All the feeling comes to his eyes. Everything he will never tell her. A murmur...

**ISHMAEL**

I'm sorry about everything. All of it.

He drops his milk and crackers on the counter.

And walks away.

**INT. LIGHTHOUSE RECORDS ROOM - NIGHT**

Ishmael sits alone. Beyond the glass, a SEARCHLIGHT sweeps the sea, the snow-covered shore. But Ishmael stares at a folder.  
Open  
in his lap.

**ISHMAEL (V.O.)**

September 16. At 1:42 A.M., the  
dead of night. The S.S. West Corona,  
a Greek-owned freighter, was lost.  
In heavy fog.

His finger. Traces a line of the report.

**ISHMAEL (V.O.)**

They radioed to the lighthouse.  
They would have to dogleg, bisecting  
Ship Channel Bank. And Seaman Philip  
Milholland wrote that down. In his  
report.

Ishmael closes his eyes.

**ISHMAEL (V.O.)**

Carl Heine drowned. In Ship  
Channel Bank. And his watch  
stopped. At 1:47.

He looks out through the glass. As if he could watch it happen.

**ISHMAEL (V.O.)**

A huge freighter plowing through.  
Throwing a wake big enough to fling  
any man overboard.

And Ishmael removes the page from the file. Slowly, he folds it  
into quarters. Slides it into his coat pocket.

**ISHMAEL (calls out)**

Seaman...?

And closes the file. Slips it back into the cabinet. Levant  
appears, vaguely irritated by the summons. So Ishmael smiles.  
Sorry, nothing important.

**ISHMAEL**

How long you have this detail?

**LEVANT**

Me and Smoltz came on dogwatch  
September 16.

Ishmael's face. Just to clarify...

**ISHMAEL**

You mean, early morning the 16th?

**LEVANT**

No, night of the 16th, morning the



17th. We replaced two guys named  
Miller and Milholland.

Oh. Ishmael nods.

**LEVANT**

They got transferred that day.  
Out to Cape Flattery.

**ISHMAEL (V.O.)**

Some seaman's loast report.  
Stuffed in a cabinet, good as  
lost forever. No one knows.

Ishmael rises, stiffly. Starts to pull on his coat.

**LEVANT**

You get what you come for?

And Ishmael looks at the youngster. A little oddly. Admits...

**ISHMAEL**

Guess I'm not completely sure.  
What that was.

**EXT. FLETCHER'S BAY - MORNING**

Ishmael at 24, crouched among trees. Above a sunlit stretch of  
beach.

**ISHMAEL (V.O.)**

I left the grocery, and wrote a  
letter. I apologizes from my heart.  
I should never have said that word  
to her. I never would again.

CLOSE on his face. Eyes gazing down. At something.

**ISHMAEL (V.O.)**

It sat in my desk for two weeks.  
Before I threw it away.

He sighs. Rises slowly.

**ISHMAEL (V.O.)**

I knew her car. And sometimes  
when I'd see it, I'd...drive that  
way. At a distance.

See Hatsue down on the beach. Alone, raking for steamer clams.  
Her baby beside her on a blanket, beneath an umbrella.

Ishmael walks down to the sand. Crosses to where she works. And squats down. At a respectful distance.

**ISHMAEL**

Can I talk to you?

She must have seen who was coming. Because the words do not startle her. Or slow her work.

**HATSUE**

I'm married, Ishmael. It isn't right for us to be alone. People will t...

**ISHMAEL**

There's no one here, and I've got to talk to you.

Her back is to him. She is motionless.

**ISHMAEL**

Don't you owe me that?

And she turns. Her eyes go first to her sleeping child. Then she walks over, and sinks to the sand. Just before him. Near enough to touch.

She looks in his eyes. And waits.

**ISHMAEL**

I'm like a dying person.

The words just came out. His eyes move over her face. His aching for her is naked, beyond his ability to cope.

**ISHMAEL**

I don't sleep. I tell myself this can't go on, but it goes on anyway.

He seems at the edge of insanity. Or tears.

**HATSUE**

I did a terrible thing, Ishmael. I knew what you felt. And what I didn't.

Sadness in her voice. But strength as well.

**HATSUE**

And I never found the courage to

tell you.

His eyes swim with tears. He chokes them back, he has to.

**ISHMAEL**

You'll think this is crazy, but all  
I want is to hold you. Just once.  
And smell your hair.

She absorbs this. No sign of repulsion or anger. Her eyes seem wise. And very sad.

**HATSUE**

You have to hear this, I can  
never touch you, Ishmael. Not  
once, not ever. There's no half-  
way. As much as I know it hurts  
you, you have to let this go.

**ISHMAEL**

Look, I want to forget you, I do.  
I think if you hold me, just this  
once, I can walk away and never  
speak to you again.

She just keeps looking at him. There is a bravery to her steady gaze. Her calm resolve.

**ISHMAEL**

Please? As one human being to  
another, just because I'm miserable  
and don't know where to turn. I  
need to be in your arms. If it's  
just for thirty seconds.

His pleading look holds her for a moment. In the silence...

**HATSUE**

I hurt for you. Whether you'll  
ever believe that or not.

Feeling behind her eyes. First time she lets it show.

**HATSUE**

I feel sick sometimes, with the  
guilt of what I've done to you.  
And I can't make it right.

She rises slowly. Brushes the sand from her skirt.

**HATSUE**

To hold you would be wrong and

deceitful. You're going to have  
to live without holding me, that  
is the truth of the way things are.

She takes one step back.

**HATSUE**

Things end. They do. Get on  
with your life.

And turns away. She gathers her baby in her arms. Takes her  
blanket, her umbrella, her rake and her pail. He watches, never  
moving, as she gathers her things. Gathers them as if he wasn't  
there. And with her back turned...

**HATSUE**

Get on with your life.

She walks slowly away. Her baby cries.

**INT. KITCHEN - NIGHT**

CLOSE on a steaming soup kettle, resting on a woodstove. A  
woman's  
hand stirs with a wooden ladle. PULL BACK to see...

A  
HELEN CHAMBERS, slender and strong and keen. She is not yet 60.  
code of fairness and self-reliance is written on the fine-boned  
features.

**ISHMAEL (V.O.)**

I drove from the lighthouse to  
my mother's place. I brought  
her some groceries.

Beyond the window, snow falls more heavily than ever. Silent.  
Spellbinding.

**HELEN**

Your father thought that heavy snow  
was God's kindness. Despite the  
hardship, it brought us beauty...

Ishmael at the rustic table. Watching her back.

**HELEN**

...and reminded us. Of our place  
in things.

Softer. Not bitter, but regretful that...

**HELEN**

You don't believe in God anymore.

**ISHMAEL**

Agnostics don't believe or disbelieve,  
Ma. We just don't pretend we know.

She begins ladling the soup into big porcelain bowls.

**HELEN**

We don't know God, we feel Him. You  
felt Him as a child. I remember.

And turns. Looks at him.

**ISHMAEL**

That's a long time ago. What a  
child feels...that's different.

She studies him silently for a moment. Then brings the bowls to  
the table...

**HELEN**

Spend the night, will you? Don't  
go back out into all that snow.

Sets them down.

**ISHMAEL (V.O.)**

I felt Milholland's report in my  
pocket. And wondered why I wasn't  
telling her. Telling someone.  
What I'd found.

**HELEN**

You've been busy with that trial,  
I suppose. Such a travesty...

She takes her seat. As he watches her.

**HELEN**

They only arrested that poor soul  
because he's Japanese.

**ISHMAEL**

Seattle boys think he's guilty. They  
say the evidence is rock solid.

She begins to eat. Eyes on her bowl.

**HELEN**

They're not his neighbor, like

you are. He is a husband, a father,  
he risked his life for their country.  
The same as you.

**ISHMAEL**

Those aren't the facts that matter.

She looks up. Straight to his eyes.

**HELEN**

Well, folks are pretty cold.  
And folks who believe in nothing  
else...they're cold, too.

No mistaking her meaning. He swallows. Uneasy as always, in the  
path of her disapproval.

**HELEN**

I've tried to understand your  
unhappiness, all these years.  
Having gone to war, losing your arm...

The directness of her gaze. He can't turn from that.

**HELEN**

But other boys came back. And  
pushed on. They found girls, and  
married, had babies...

He doesn't flinch. His voice too quiet with...

**ISHMAEL**

Someday I'll get lucky, too.

Too quiet to conceal the hurt. She thinks it is hurt she has  
caused. It changes her tone to a plea...

**HELEN**

Your father fought at Belleau  
Wood, it took him years to get  
over it. Nightmares, tears, b...

**ISHMAEL**

...but he found you.

Their eyes locked.

**HELEN**

It isn't the war, Ishmael. All  
those years growing up. You never  
had a real girl of your own.

And now he looks down. He sees that his fist is tight around the handle of his spoon.

**HELEN**

And I know you have it in you  
to love. I know that much. I  
wish I knew more.

His fingers open, and the spoon clatters softly on the wood.

**ISHMAEL**

I'll stay tonight. Thanks  
for asking.

**INT. BEDROOM - NIGHT**

Ishmael wanders through a silent room. A bed, a dresser. Work  
table and lamp. A room denuded of all decoration, all  
possessions,  
all sign of life.

**ISHMAEL (V.O.)**

I came back from the war to  
this room. I stayed a few  
months. Until my father passed.

**EXT. VETERAN'S CEMETERY - DAY**

Ishmael at 24, the left sleeve of his dark suit of mourning  
pinned  
at the elbow. The diggers are filling a grave in distance.  
Mourners mingle, some casting glances back at Ishmael. Keeping  
their distance out of awkwardness rationalized as respect.

One man comes to him. MASATO NAGAISHI is aging and frail. But  
his  
voice is clear...

**NAGAISHI**

The Japanese people of the island  
are saddened by this loss. Your  
father was a man of great fairness  
and compassion for others...

He stands at a respectful distance. Ishmael clears his throat.  
He  
nods, thank you. No words to say. So the small man adds...

**NAGAISHI**

A friend to us. And to all people.

Silence. They are a tableau of stone. Finally...

**ISHMAEL**

Well...

And no more. The man takes a step back...

**NAGAISHI**

We know you will follow in his  
footsteps. And honor his legacy.

Which changes Ishmael's face. To something harder.

**ISHMAEL (V.O.)**

I thought it then. And often since.  
A balance, he's said. Finding the  
facts. That folks needed to know.

**INT. BEDROOM - NIGHT**

Ishmael stands at an open closet. Cardboard boxes have been set  
aside. One has been searched for treasure. The page is in his  
hand. Only slightly discolored by age.

**HATSUE (V.O.)**

Dear Ishmael. These things are  
very difficult to say. I can't  
think of anything more painful  
than writing this letter.

He closes his eyes.

**ISHMAEL (a murmur)**

Think of reading it.

**HATSUE (V.O.)**

I don't love you, Ishmael. There  
is no more honest way to say it.

He carries the letter to the twin bed. Where he slept alone.  
Thinking of her.

**HATSUE (V.O.)**

Whenever we were together, I knew  
it. I loved you and I didn't love  
you at the same moment.

He sinks slowly. As if beneath the letter's weight.

**HATSUE (V.O.)**

The last time. At the cedar tree.  
I knew we could never be right  
together. And that soon I would



have to tell you.

His eyes are dry. The letter has used up his tears long ago.

**HATSUE (V.O.)**

This is the last time I will write  
to you. I am not yours anymore.

He sets the letter on the bed beside him.

**HATSUE (V.O.)**

I wish you the very best. Your  
heart is large and you are gentle  
and kind. I know you will do great  
things in the world.

He reaches now to his inside coat pocket. Withdrawing...

**HATSUE (V.O.)**

I must say good-bye to you now.  
Our lives will move on. The best  
we can.

...a page. Folded in quarters. Sets it near the letter.

**ISHMAEL (V.O.)**

Milholland's report was like her  
letter. Something no one else.  
Would ever read.

He stares at them. Side by side.

**ISHMAEL (V.O.)**

Thing about having only one hand.  
It's hard to tear pages up. And  
I wasn't carrying a match.

He lies back. Across the bed.

**ISHMAEL (V.O.)**

So I thought of my father. The man  
who would have taken this report to  
Judge Fielding.

Tears stand in his eyes.

**ISHMAEL (V.O.)**

But every reporter. Chooses his own  
balance. Finds the facts that matter.

Shuts the eyes. Against them. Against everything.

**ISHMAEL (V.O.)**

After all, the freighter was only a theory. It proved nothing at all. There were other facts. That mattered.

We CLOSE on his face. The tightness of the muscles.

**ISHMAEL (V.O.)**

Tomorrow I would write a column. About prejudice. And she would be grateful. For my large...and gentle...heart.

The eyes open, they are blank. Staring...

**ISHMAEL (V.O.)**

Her husband would be judged. And she would be alone.

...at the future.

**ISHMAEL (V.O.)**

Alone. The past looks different.

**INT. COURTROOM - DAY**

Hatsue Miyamoto in the witness box. Graceful, erect, her porcelain beauty accessible, eager to cooperate. Humble.

**HATSUE**

Hopeful. Is the word I would use.

And Nels seems slightly surprised.

**NELS**

But Carl didn't say yes.

**HATSUE**

He didn't say no. That was Kabuo's point. Given how Carl's mother felt, Carl was still willing to consider selling to us. It was a good sign.

Nels considers that.

**NELS**

Well, in the week that followed, the week before Carl's death... did your husband pursue him?

**HATSUE**

No. Kabuo did not wish to beg, he respected Carl's right to reflect. He was sure Carl would do the honorable thing.

NELS (right back)

And did he?

She nods. Only once. Her eyes bright.

**HATSUE**

The night of the 15th, Kabuo helped Carl at sea. With his dead battery.

Nels raises his eyebrows. To give the point its weight.

**HATSUE**

Right there, on the boat, they agreed. \$8400 for the seven acres, \$800 down. They shook on it. Kabuo was so excited when he came home.

Nels lets that sit. And sit.

**NELS**

And when did you first learn. That Carl had drowned?

The slightest pause. As if hesitant to confess...

**HATSUE**

One o'clock, that afternoon, from a clerk at Petersen's.

NELS (turning to Hooks)

Your witness.

And Alvin Hooks rises. Perches on the edge of the prosecutor's table. And looks at the witness with fairness and suspicion.

**HOOKS**

Your husband came home agitated, after his encounter with the deceased?

No impatience across her perfect features. Only earnestness will do.

**HATSUE**

I said 'excited'. Not agitated,

he was excited in the sense of being overjoyed.

**HOOKS**

You were...overjoyed yourself, to hear the news?

**HATSUE**

Happy for him. And relieved.

**HOOKS**

So, then, you...and your husband... must have called friends, relatives, to tell them the amazing news. Yes?

HATSUE (calm, respectful)

No.

**HOOKS**

Really? Didn't call your mother, your sisters, about starting a new life. Your husband never tells his brothers that the family honor is vindicated.

Hatsue shifts in her chair. Smooths her skirt.

**HATSUE**

We hear how Carl...passed away. Only a few hours later.

**HOOKS**

Your husband returned at, what, seven o'clock?

**HATSUE**

Closer to eight.

**HOOKS**

So, five hours. Plenty of time for a call. He was 'excited', you say. In the sense of being 'overjoyed'.

She nods, he was.

**HATSUE**

We are...cautious people. You would say conservative. There would be time for celebrating with others when a paper was signed.

Hooks pouts. He allows himself that.

**HOOKS**

You thought the deceased might...  
break his promise?

**HATSUE**

Of course not. We're just not  
quick to run and boast. In case  
something went wrong.

**HOOKS**

And then, something did. Carl  
Heine was found dead. With his  
head crushed.

She weathers that last part. As if taking no notice.

**HATSUE**

Yes, and then, what was there  
to call about? Everything was  
up in the air.

**HOOKS**

Up in the air? Was that your  
reaction?

And he rises. Tastefully indignant.

**HOOKS**

I would suggest that more happened  
than a land sale evaporating. A  
man died, Mrs. Miyamoto. A husband  
and father of small children had  
his skull bashed in!

**HATSUE** (quiet dignity)

If you mean to imply that we were  
callous about Carl's death, that is  
wrong and insulting.

**HOOKS**

I see. Well, did you come  
forward to tell Sheriff Moran  
what you knew? The encounter in  
the fog, the...dead battery, was it?

Silence.

**HATSUE**

We discussed that. And decided  
not to.

**HOOKS**

Why not?

She looks at him with the directness we've seen before.

**HATSUE**

Because the facts could be  
misconstrued as murder.

**HOOKS**

But if truth was on your side,  
whatever were you worried about?

Her eyes cut to Nels. He smiles, to blunt the harm she's done by  
looking to him for support. Her gaze goes down now. And then...

...back up. Straight to Hooks.

**HATSUE**

Trials aren't only about truth,  
Mr. Hooks. Even though they  
should be. They're about what  
people believe is true.

**HOOKS**

So you hid the truth. Deliberately.

**HATSUE**

We were afraid. Silence seemed  
better. To come forward seemed  
like a mistake.

**HOOKS**

Well, it seems to me...

**NELS (gently)**

Objection. Mr. Hooks can give  
his view in his summation.

**HOOKS**

Doesn't it seem to you, Mrs.  
Miyamoto, that your mistake was  
in being deceitful? Concealing  
information during the course of  
a sheriff's investigation.

**HATSUE**

It seems human. To me.

Oh. Hooks raises his brows.

**HOOKS**

I suppose that you mean this excuses  
concealing the truth. Then why  
ahouls any of us believe you now?

And in the silence...

**HOOKS**

Question withdrawn, you may  
step down.

**HATSUE**

You're implying th...

**HOOKS**

I said. No further questions.

Anger flashes across her eyes. Her face colors. She draws a  
breath...

**JUDGE**

That's enough, Mrs. Miyamoto, not  
another word. Step down, please.

for She looks to Nels in her desperation and regret for making things  
worse. he chuckles and waves. It's quite all right. She sits  
a frozen moment. And as she rises...

The boys in the reporter's row are scribbling furiously.

All but one.

**INT. COURTROOM - DAY**

of JOSIAH GILLANDERS folds his blunt, thick hands across his belly.  
Nearly 50, sporting a walrus moustache and the watery, dull eyes  
an alcoholic, he is a man ready to make the most of his fifteen  
minutes of fame.

**NELS (O.S.)**

Thirty years fishing alone. Ever  
had an occasion to board another  
man's boat except in an emergency?  
Maybe to socialize or some such?

GILLANDERS (ready for this)  
Never. Only boarded some fella's boat  
five, six times in thirty-one years.  
Dead engine, broken hip, only in need.

**NELS (O.S.)**

Now, Mister Gi...

**GILLANDERS**

Unwritten rule of the sea. We don't bother each other, stick to ourselves. Ask anybody.

Nels is wandering over to the jury box.

**NELS**

Now if you wanted to kill a man. Think you'd try boarding against his will, and hitting him with a fishing gaff?

**GILLANDERS**

It's a joke. Maneuver up to Carl's boat? Tie your lines fast? Come aboard? All against Carl's will? It's the stupidest suggestion I ever heard of.

**NELS**

I'm sorry about that. It wasn't mine in the first place.

Gentle laughter. Even some on the jury.

**NELS**

So the fishing gaff method wouldn't make sense?

**GILLANDERS**

Couldn't get on the boat. I'd just shoot the feller. Then tie up, throw him into th' drink. And skip bein' the first gill-netter in history to make a successful forced boarding.

More laughter. Hooks at his table. Simply smiles.

**NELS**

Now the sheriff believed that the D-6 battery in Carl's well was Carl's own spare. Even though it was too large f...

**GILLANDERS**

No sense to have any at all., even the right size. It's like having an extra battery in the



trunk of your car. Nobody does.

Nobody. No way.

**GILLANDERS**

Boat has two batteries. Lose one you run off the other til morning. Carl musta lost both, so Miyamoto there gave him one a his.

**NELS**

Course, if Carl lost both batteries, dead in the water, his radio wouldn't work. So how would he signal for help?

**GILLANDERS**

Compressed air horn, most likely. Hope to God some man hears you in that fog.

**NELS**

All right, what if the defendant heard? So Carl let him aboard, to help. And then the fishing gaff?

Gillanders grins. Wide.

**GILLANDERS**

You mean Miyamoto followed him out there, and sucker-punched him?

**NELS**

Well, what if?

**GILLANDERS**

Now, how is Miyamoto gonna know in advance? That Carl loses two batteries. Must happen once ever' 20 years or so.

Another chuckle or two from the gallery.

**NELS**

Thank you, Mr. Gillanders. Thank you for coming down, in this cold weather.

**GILLANDERS**

Well, it does seem mighty warm in here. Specially for Mr. Hooks.

And looks at the prosecutor. Who rises, easily. A most polite

fuck-you smile. Hooks strolls now. Slow and steady. Straight  
to the witness box. Rests his hands on the rail. Leans in.

**HOOKS**

What if the defendant follows Carl.  
And pretends his own batteries are  
dead? Would Carl tie up and help?

And the smile on Gillander's face. Stops. Cold.

**HOOKS**

Is the word you're groping  
for... 'yes', perha...

**JUDGE (O.S.)**

Alvin!

**HOOKS**

Rephrase. Do you agree that he  
might tie up to the defendant's bo...

**GILLANDERS**

So why's the D-6 in Carl's well?

**HOOKS**

Who's to say? Maybe it was just  
a spare, after all. Or maybe the  
defendant left it, as a potential  
alibi. In case somebody saw him  
in Ship Channel Bank.

(beat)

In case we put two and two  
together, knowing of the hostility.  
Between the families.

Gillanders. Actually thinking about that.

**HOOKS**

My question is. Could Carl have  
tied up to help the defendant?

A beat. A cleared throat.

**GILLANDERS**

It coulda happened. And if I start  
to say it's doubtful, you'd probl'y  
say 'no further questions', right?

Once more, laughter. Enough to bring the gavel DOWN.

**HOOKS**

Right about that. And right that  
it 'coulda happened'.

Turns his back, walks away.

**HOOKS**

Thanks for your help. Hope the  
witness box wasn't too warm for  
your comfort.

All eyes follow the prosecutor, as he sits. Except for the  
defendant. His stare forward. Recalling...

**INT. KABUO'S CELL - NIGHT**

Kabuo seated on the concrete floor of his cell, leaning back  
against the wall. Leaving the cot. For his guest.

**NELS**

But the toughest scenario. Is the  
one Hooks will never raise.

Kabuo watching. Quiet. Takes a breath...

**KABUO**

And what's that?

**NELS**

That you came upon Carl by accident.  
Like you said. Gave him the battery.  
Like you said. Asked him about the  
seven acres. Like you said.

The hardest. Straightest. Look.

**NELS**

Only. He said no.

Silence.

**NELS**

And something...happened. That  
you'd never planned. Because  
you're not a cold-blooded killer.

Nobody flinches. Nobody blinks.

**KABUO**

I'm more a hot-blooded killer, huh?  
Like a soldier. Like a samurai.

**NELS**

You won't hear that from Hooks.  
Because the charge is first-degree  
murder, which requires premeditation.  
He can't change the charge.

Do you understand?

**NELS**

So if the jury thinks you did kill.  
but only in the heat of anger. They  
have to acquit.

Do you?

**NELS**

And you couldn't. Be. Re-tried.

Kabuo's face is stone. A warrior's mask.

**KABUO**

You want me to say that.

**NELS**

I want you. To tell the truth.

There is no kindly smile tonight. No candy bars.

**KABUO**

You think that is the truth.

**NELS**

I told your wife. Trials aren't  
always so much about actual truth.  
As about what folks believe is true.  
That's sad. And it's real.

**KABUO**

And what do you believe?

Nels sighs. Cocks his head just to one side.

**NELS**

A question first. Why do you want  
to know?

**KABUO** (straight back)

Because you're my friend.

The old man thinks about that. Studies his client.

**NELS**

I believe you are a good man. Who

belongs with his family.

And then the feeling comes. To the watery eyes.

**NELS**

And I believe. You didn't do it.

**EXT. SHIP CHANNEL BANK - NIGHT**

Fog. The sound of water. Lapping at the hull of a boat. The  
mist drifts, revealing...

Eyes. They are blue. The heavy brows above them dark gold,  
matted and damp.

**CARL (O.S.)**

My batteries are drawed down, both  
of 'em. Alternator belts were loose.

PULL BACK to see him. With his keroses lantern and his air horn.

**KABUO (O.S.)**

No sweat. We'll pull one a mine,  
get ya started.

PULL BACK to see him now, leaning on his gaff. Squinting up. At  
the top of Carl's mast. We follow his gaze to see...

**KABUO (O.S.)**

You lashed up a lantern? 'Gainst  
a fog like this?

See it now. SWAYING as the helpless boat bobs in the night.

**CARL (O.S.)**

Lantern and a air horn. That's  
all I got, without my juice.

**INT. CARL'S CABIN - LATER**

CLOSE on a battery well. One battery sits in place, one spot is  
empty. And...

...CRASH! The butt end of a fishing gaff BANGS against the metal  
flange. Again. Again. AGAIN. And as the next blow is STRUCK,  
the huge hand...

...slips, and the soft metal SLICES Carl's flesh across his palm.  
He stops. Then SMASHES away, twice more. We PULL BACK to see...

his ...two batteries lie above the well. Carl sucks the blood from cut. Then lifts Kabuo's D-6 into place...

**CARL**

Don't know how long it's take to get a charge...

**KABUO**

Keep it tonight. We'll catch fish. I'll see ya back on the docks...

Kabuo takes his gaff. Heedless of Carl's blood on the butt end. Carl looks up, still crouching above his well.

**CARL (quietly)**

Hold on. You know as well as I do, we got somethin' to talk about.

No response from Kabuo. He stands above the larger man. Silent, neutral. Waiting.

**CARL**

Seven acres. I'm wonderin' what you'd pay for 'em. Just curious, is all.

**KABUO**

What are you sellin' 'em for? Why don't we start there.

Which makes the big man smile. Just a little.

**CARL**

Did I say I was selling? But if I was, I'd have to figure you want 'em real bad. Oughta charge a sall fortune, maybe...

A slight shrug. Of giant shoulders.

**CARL**

Then again. Maybe you'd want your battery back.

Kabuo doesn't grin back. His face shows nothing at all.

**KABUO**

The battery's in, that's done with. Besides, you'd do the same for m...

**CARL**

...might do the same. I have to warn you 'bout that, chief. I'm not screwed together like I used to be.

Kabuo's face remains impassive. Patient. And the big man squints up into it. Holding a handkerchief to his injured hand.

**CARL**

Hell, I'm sorry, okay? About the whole damn mess. If I'd a been around, my mother wouldn't a pulled it off that way.

He is sorry. And with that, Kabuo's face eases. Becomes like Carl's own.

CARL (grins)

I was out there at sea. Fightin' you Jap sons-a-bitches.

KABUO (no grin)

I'm an American. Did I call you a Nazi, you big Nazi bastard?

CARL (softly)

Not that I recall.

**KABUO**

I killed men who looked just like you, pig-fed German bastards. And their blood don't wash off so easy.

Still no smile. Carl staring up.

**KABUO**

So don't talk to me about Japs, you big Nazi son of a bitch.

Carl laughs. And Kabuo chuckles, right along with him. Having kept his poker face the longer.

**CARL**

I am a bastard. I'm a big Hun Nazi son of a bitch. And I still got your bamboo fishing rod.

**KABUO**

Oh, yeh?

**CARL**

Hid it from my mom. Caught a mess  
a sea runs. Damn thing's still in  
my closet.

KABUO (very softly)

You can have it. The hell with it.

The look between them now. Is very wonderful. In the subtlety  
of its connection.

**CARL**

\$1200 an acre, that's what I paid  
Ole, won't take a dime less. You  
got no choice on that.

**KABUO**

Didn't say I was buyin' did I?  
What you want down? Just bein'  
curious, is all.

The handkerchief comes away from Carl's palm. And rising, his  
hand extends toward the smaller man.

**CARL**

A thousand down. We'll sign  
papers t'morrow.

The hands grip. And they hold. And the length of this clasp,  
and the straightness of their gaze, and the silence of the moment.  
Wash years away.

**KABUO**

Eight hundred. And it's a deal.

**INT. COURTROOM - DAY**

CLOSE on eyes. They are Asian. Unblinking.

**HOOKS (O.S.)**

For the life of me, sir, I cannot  
imagine why you kept this story from  
the sheriff.

PULL BACK to see Kabuo in the witness box. Ramrod straight.  
Face composed.



**KABUO**

As my wife testified, we were considering it.

**HOOKS**

Actually, she said you had decided. Decided not not come forward.

KABUO (quietly)

I was thinking about it. Every minute.

**HOOKS**

Except even when Sheriff Moran arrested you. You said nothing about seeing Carl.

Turns to the jury. Openly bewildered.

**HOOKS**

At that point, you were already under suspicion. The battery story explained things. If the story was true...and not simply something you thought up later...

Turns back. To the defendant.

**HOOKS**

Why. Didn't you. Tell it?

No reaction from the defendant. Nothing anyone can see.

**KABUO**

Sheriff said right off, I was under suspicion. I didn't have a lawyer...

**HOOKS**

But even after you had an attorney. You still claimed to know nothing. Claimed not to have seen Carl. Am I correct?

A beat.

**KABUO**

Yes. Initially.

**HOOKS**

Well, 'initially' is an interesting word, sir. You'd been arrested,

you had a lawyer, and you still  
claimed ignorance!

Silence.

**KABUO**

I should have told everything  
right away. I know that now,  
and I regret it.

**HOOKS**

Should have told 'everything'.  
Meaning, you should have told  
the truth.

We can just discern the anger. At the edge of Kabuo's steady  
gaze.

Silence.

**HOOKS**

Nothing to say?

KABUO (quietly)

I didn't know that was a question.  
It sounded like a speech.

And Hooks smiles. Loving it. Walks toward the witness, stalking  
him.

**HOOKS**

My apologies. Do you regret  
not telling the truth?

**KABUO**

I have told the truth.

**HOOKS**

You mean, this morning. The  
new story, the battery story.  
That one is the truth? That's  
a question, sir.

KABUO (even quieter)

Yes. And I told it long before  
this morning.

**HOOKS**

I see. Now what happened the  
day Carl Heine was found? Before  
your arrest.

**KABUO**

I slept til one-thirty, when my wife woke me up with the news. We talked for a few hours. I left at six and went straight to my boat.

**HOOKS**

Didn't go anywhere else? No errands, no purchases? Just straight to the boat. That's the truth.

**KABUO**

Yes.

Hooks leans over the box. Ever so slightly invading Kabuo's space.

**HOOKS**

Well, the sheriff found two batteries in your well. If you left one with Carl Heine, how is that possible?

**KABUO**

I had a spare battery in my shed. I brought it down, and put it in just before the sheriff showed up.

Ah. I see.

**HOOKS**

Conveniently, in your shed. Only you didn't mention that a moment ago. Why does this battery story change every time a new question is raised?

Kabuo looks at him, evenly.

**KABUO**

You asked if I went straight to the boat. I did. With the battery.

Hooks steps back. Looks the witness over.

**HOOKS**

You're a hard man to trust, sir. You sit before us, with no expression, keeping a poker f...

**NELS (O.S.)**

Objection!

**JUDGE**

You know better than that, Mr.

Hooks. Either ask questions  
that count for something, or sit  
down and be done with it.

Silence. The judge staring hard. Hooks never flinching.

**JUDGE**

Shame on you.

Hooks turns his eyes to Kabuo. Stares him down, so the jury can  
watch Kabuo's implacable stare in return. And softly...

**HOOKS**

I apologize to the court, for  
letting my feelings get the  
better of me.

Turns away.

**HOOKS**

No other questions. We'll go to  
summation.

As he returns to his table. As Kabuo steps down from the box.  
We PAN...

...reporters' row. The boys are writing as fast as their hands  
can move. Only Ishmael is not writing at all. He stares at the pad  
resting on his right knee. We CLOSE to see...

One word circled. The word 'lantern'.

**INT. COURTROOM - LATER**

Alvin Hooks stalks the jury box now. Prowls before them along  
the rail. As their eyes follow.

**HOOKS**

...believing that Etta Heine's son  
would never sell him the land. Land  
that in his mind, filtered through  
ancient rules of behavior handed down  
from his ancestors' culture, belonged  
to his family by right...

Stops. To make sure they understand.

**HOOKS**

His only choice to get the land  
would be to eliminate Carl Heine.

So that Ole Jurgensen would need  
a new buyer.

Pacing again, hand trailing along the rail...

**HOOKS**

In his mind. Seen through codes  
of revenge difficult for us to  
fathom, this was also the only way  
to avenge what he felt to be the  
grievous dishonor brought to his  
father, his family...

Raises his finger. This must be heard...

**HOOKS**

...to a thousand years of ancestry,  
in a foreign land we still find an  
enigma. Despite our recent bitter  
experience with its ways.

And stops once more. Places his hands on the rail.

**HOOKS**

Thus believing cold-blooded murder to  
be justified...he trailed Carl Heine...  
could hear his engine in the fog...and  
sounded his own horn, claiming distress.

Straightens up. Shakes his head, ever so slightly.

**HOOKS**

As Carl pulled alongside: 'Please,  
Carl,' the defendant must have said.  
'I am sorry for what has come between  
us, but adrift here in the fog, I  
plead for your help!'

Imagine. Imagine that.

**HOOKS**

And so this good man tied his  
boat fast, while his enemy leaps  
aboard, striking the treacherous  
blow he was trained to strike by  
his father's hand.

Counting off the facts. One finger at a time.

**HOOKS**

The feud over these seven acres  
had festered for eight years. He

argued with Carl about buying the land one week before Carl was killed. Carl's skull was crushed, and his blood is on a murder weapon with which the defendant is a deadly expert!

Spreads his arms. Wide.

**HOOKS**

And after a series of lies. The defendant at last admits he was there. Alone on the boat. In the fog. Carl Heine's blood on his fishing gaff.

A hush. A murmur...

**HOOKS**

My lord. My lord.

Looking into the eyes now. Of each man. Each woman.

**HOOKS**

Look clearly at the defendant.  
See the truth self-evident in him.  
And in the facts of this case.

And turns. So that they will follow his eyes to Kabuo's stone-hard gaze.

**HOOKS**

Look into his eyes, ladies and gentlemen, consider his face.  
And ask yourself what your duty is as citizens of this community.

**INT. COURTROOM - LATER**

PAN the jury, slowly, as they hear...

**NELS (O.S.)**

...not a single witness has testified to anything that could suggest pre-meditated murder. Not in the days before Carl Heine's death...or at any time...has anyone described a murderous rage toward the deceased.

Nels stands very still. Hands resting on the rail. As calm and quiet as his adversary had been dramatic.

**NELS**

Etta Heine had cheated his family.  
He had asked his childhood friend  
Carl to sell him the land. And  
Carl was considering it.

Leans forward. Just a little.

**NELS**

There is no evidence of anger at  
Carl, much less rage, much less  
murderous rage. No reason for  
premeditation and no evidence of  
it. Anywhere.

As He picks out a housewife. The youngest. Smiles sadly, wisely.  
her grandfather might.

**NELS**

And yet the state is required to  
prove these things. Beyond. A  
reasonable. Doubt.

His eyes widen.

**NELS**

Can you seriously think there is  
no reasonable doubt? Why is Kabuo's  
D-6 battery in Carl's well, if Carl  
was helping him?

Why?

**NELS**

Why isn't the blood on the gaff  
more consistent with Carl's hand  
wound than a skull fracture? Given  
the absence of bone or brain tissue.

And now. he begins to pace, limping slightly, eyes down.

**NELS**

What Mr. Hooks asks you to believe  
is that no proof is needed. Against  
a man who bombed Pearl Harbor.

Slow. Eyes on his feet.

**NELS**

Look at his face, the prosecutor said.  
Presuming that you will see an enemy  
there. Treacherous by nature, by a

thousand years of something or other.

He stops. Looks at them.

**NELS**

An argument I find as despicable as it is dishonest and twisted and insulting to us all. Mr. Miyamoto is a much-decorated hero of the United States Army. For God's sake.

The feeling wells in the old man. It bleeds through the very quietness of his voice.

**NELS**

If someone said you should convict Carl Heine. Or his lovely widow. Of murder. Without proof. Because their ancestry is the same as Hitler's. You would spit in his eye.

Yes, you would.

**NELS**

And every decent American. Would applaud you.

He leans his elbows on their rail. As if confiding to them across their backyard fence.

**NELS**

Now Kabuo Miyamoto did one thing wrong. He was afraid to trust us, at first. Afraid that he would be crucified by prejudice. As Mr. Hooks is urging you to do.

Silence.

**NELS**

Well, we sent him. And his wife. And thousands of Americans to concentration camps. They lost homes, belongings, everything. We did that, folks. Can we now be unforgiving about his uncertainty? His mistrust?

Looking in their eyes. As if waiting for an answer. They shift their weight, fidget beneath his gaze.



**NELS**

You may think this is a small trial.  
In a small place. Well, it isn't.

He straightens his spine. Winces slightly, with the pain of it.

**NELS**

Every once in awhile. Somewhere  
in the world. Humanity goes on  
trial. And integrity. And decency.  
Every once in awhile, common folks  
get called on to give the report  
card for the human race.

The eyes are watering. But the voice gains strength.

**NELS**

Now here in America. We relish  
those chances. Give us that one,  
we say. That's why we built this  
country in the first place.

One step back. Just above a whisper...

**NELS**

Be Americans. Make your  
children proud.

**INT. COURTROOM - LATER**

CLOSE on handcuffs SNAPPING into place. Sheriff Moran checks  
their  
snugness about Kabuo's wrists, as the crowd mills through the  
courtroom in the wake of adjournment. Grasping Kabuo's arm,  
Moran  
begins leading him toward a small doorway just at the rear of the  
witness box. But...

...someone is there. In the doorway. And Moran's grip tightens  
as  
they approach...

**MORAN**

I'm awful sorry, Ma'am, but you  
know I c...

**HATSUE**

What are you afraid of, Sheriff?

The edge on that, the ballsy undertone, throws him a little.

**HATSUE**

Am I going to slip him a weapon  
for a mad escape? Perhaps a kendo  
staff hidden in my dress?

**MORAN**

There's rules.

**HATSUE**

Well, please break them, then.  
I won't keep you a moment.

And she reaches past him. To take her husband's hands. She  
looks  
in his eyes, as if they are alone.

**HATSUE**

I love you. And tomorrow, when  
I make our bed. I'm setting out  
your pillow.

Tears just flood her eyes. Sudden, unbidden. She holds tight to  
her smile. And to his hands.

**HATSUE (whispers)**

You better be there.

He smiles. A lovely, easy, cowboy-American smile.

**KABUO**

Only if you ask me nice.

ANGLE...from the gallery. One man watches. Watches as a woman  
brings manicled hands to her lips. And walks quickly away...

...toward us. Straight toward us, in fact. And when she stands  
before us, her hands mangle her purse. The eyes are hollow,  
flint-  
edged.

**HATSUE**

Did you write that column?

**ISHMAEL**

I did. But the jury won't s...

**HATSUE**

It's not for the. They only  
get to convict him.

She arches her throat. As if facing a firing squad.

**HATSUE**

It's the judge who decides. If  
he'll hang.

He reaches. His fingertips find her shoulder. She does not  
resist  
his touch.

ISHMAEL (gently)  
None of that is gonna ha...

**HATSUE**  
You don't think he did this.

His hand comes away. From his heart...

**ISHMAEL**  
I know he didn't.

She nods. Nods. Her eyes filling. Moving over his face.

**HATSUE**  
Come to supper, tonight. My  
mother would be proud to have  
you with us.

He hears the emotion in her voice. He swallows hard.

**ISHMAEL**  
I can't.

No, I can't.

**ISHMAEL**  
Tell your mom. I want a rain check.

**INT. KABUO'S CELL - NIGHT**

Kabuo sits on the cot, the way we have always seen him. Alone in  
his mind. Footfalls. Kabuo oblivious, far away. The door  
CLANGS  
open.

**MORAN**  
You have a visitor, son.

Turns to the visitor...

**MORAN**  
You said three minutes.

**ISHMAEL**  
Won't take two.

And Moran leaves. The door CLANGS shut. They are alone. Only one man smiling...

**KABUO**

Please, sit down...

But the tall man doesn't. Doesn't move.

**KABUO**

She told me you're writing a column. We're very grateful.

Ishmael nods, awkwardly. Acknowledging this.

**KABUO**

She. Said you two go way back...

Ishmael stares into Kabuo's earnest smile.

**KABUO**

That's nice.

**ISHMAEL**

You said there was a lantern in his hand. When you found him in the fog.

Kabuo blinks. The man's tone is formal. As if the offer of friendliness is somehow rejected.

**ISHMAEL**

And another one. Lashed to the mast?

Kabuo's own smile has faded. The mask has returned.

**KABUO**

That's right.

**ISHMAEL**

Two. Lanterns.

And Kabuo grins. In spite of himself.

**KABUO**

If I did the math right.

Ishmael leans back. Against the door.

**ISHMAEL**

It's the sheriff's math. I'm wondering about.

**INT. SOMMENSEN'S WAREHOUSE - NIGHT**

of Blackness. The sound of wind. Of water lapping at wood. CLICK a key, springing a lock. The SCRAPE of a large PADLOCK sliding away. A door CREAKS open, and from the sound of it, a large one. Gray light seeps in.

**MORAN (O.S.)**

Blackmail. That's all it is.

See them now. Three SILHOUETTES framed in thr barn's open doorway. Against the night sky.

**ISHMAEL (O.S.)**

I call it keeping your promise.  
We said if I ever needed some cooperation from you...

A soft CLICK, and the LIGHTS go on. Such as they are. A few bare bulbs strung across the rafters of this towering ramshackle enclosure. A 50-year-old mildewed barn, built of creosoted timbers. This is a place for overhauling boats, with sea doors facing the harbor.

Two BOATS are tied to wide-elbowed piers. We've seen them before.

**MORAN**

You threatened me, Chambers, pure and simple. And what idiot's gonna believe some cock and bull story that I made a deal to keep stuff outta your paper? Not that anybody reads your paper.

Abel Martenson leads the way. Along soaking planks.

**ISHMAEL**

Same idiots who'll believe you cracked this case. When I tell 'em you did.

Moran snorts. Points up to the cross spar, high on the mast of the first boat.

**MORAN**

See, no lantern.

ABEL (respectfully)

Sheriff? That's Miyamoto's boat.

Oh. Moran swings his gaze up to the second boat.

MORAN (quiet triumph)

No lantern there, neither.

Sure enough. No lantern on the cross spar. They keep walking.

**MORAN**

Never shoulda given you that  
inventory in the first place.

**ISHMAEL**

It's public record. If the public  
cares enough to read it.

They step across the gunnel. Onto Carl Heine's boat.  
Flashlights  
working against the dim, eerie glow of distant bulbs, they enter  
Carl's cabin.

Neat as a pin. Ishmael scans the floor.

**ISHMAEL**

You said there was a coffee c...

ABEL (sorry)

I picked it up.

And points to the cup. Sitting on the counter.

**ABEL**

It's the only thing I moved, I  
swear. It was right there.

The sheriff glares at the boy.

**MORAN**

You wanna see that in the papers?  
Don't ever touch something at a cri...

And stops. Because Ishmael's gaze has gone to a kerosene  
lantern.

In the corner.

**MORAN**

One lantern. Like the inventory

says. Sorry to disappoint you.

But Ishmael is out the door. Shining his flashlight. Up the mast.

**ISHMAEL**

Actually. I was hoping you got it right. What's that, up there?

And they all squint up. Shining their lights together. Along the cross spar.

**MORAN**

Nothin'. Bits of string.

That's what it looks like. Many of them.

**ISHMAEL**

Pieces of twine aren't nothing.

And he steps to the base of the mast. Puts the flashlight in his pocket. Wraps his arm around the shaft of wood.

**MORAN**

Here now, what are you fixin' to do?

**ISHMAEL**

Have a look. At nothing.

And wrapping his legs around the mast, he hoists himself up.

**MORAN**

You can't go up there, touch things...

With all his strength. Ishmael begins to climb.

**ISHMAEL** (grunting)

Trial's over, Sheriff, it's with the jury now.

Supporting himself with his legs, he struggles upward.

**MORAN**

You gonna climb that with one arm?

**ISHMAEL**

You're right. I better use two.

Up he goes, inching his way, Abel shining his flashlight. Moran swings his beam up, too.

**ABEL**

There's lots of 'em, Art, look.

And Moran is looking. Saying nothing. Now, Ishmael is there.

**ISHMAEL**

A dozen or more, all figure eights.  
All cut clean through on an angle.

**ABEL**

And look at that streak of rust,  
across the mast.

His light playing on it. Bracing his full weight with his legs,  
Ishmael fingers the scraps of rope...

**ISHMAEL**

It's on the twine, too. But it's  
not r...

**MORAN**

Don't prove there was two lanterns.  
Coulda been the one in the cabin.

Still supporting himself with his legs, Ishmael pulls out his  
flashlight...

**ISHMAEL**

There's a stretch of ground  
between guessin' and provin',  
Sheriff. I'll give you that.

...shines it DOWN on the deck. Along the gunnel. Just below the  
mast. And as we watch the circle of light move...

**MORAN (O.S.)**

What do you think you're lookin'  
at now?

Still moving. And in the silence, an absent...

**ISHMAEL (O.S.)**

Not what I'm looking at. It's  
what I'm looking for.

**INT. JURY ROOM - NIGHT**

Eleven citizens around a walnut table. Eleven. Glaring at the  
twelfth.

**ALEXANDER VAN NESS**



Well. I guess it comes down to a feeling, don't it? If I feel uncertain, I feel a doubt. Isn't that it?

And the boat builder smiles amicably, rubs his gray beard. No other smiles. Anywhere.

**HAROLD JENSEN**

Alex, nobody ain't ever sure about nothin'. It's unreasonable to be so stubborn that you think you're smarter than eleven folks who all agree!

**EDITH TWARDZIK**

The man sat there and admitted he lied, Mr. Van Ness. Now why isn't that enough for you?

**ALEXANDER VAN NESS**

We're not tryin' him for lying. Lots of us told lies, one time or another. Prob'ly none of us murdered anybody.

**HAROLD JENSEN**

But what drives a man to lie? Means he's hiding somethin'.

**ALEXANDER VAN NESS**

Not necessarily that he killed Carl. I'm not sayin' you're wrong, just that I have my doubts.

**BURKE LATHAM**

Look, if you changed chairs right now, cos you doubted that maybe a chunk of the moon was gonna fall through the roof, that wouldn't be a reasonable doubt.

Folks turn to Burke. What the hell are you talking about?

ALEXANDER VAN NESS (laughs)

Okay, you win that one. Now can we all go to bed?

HARLAN McQUEEN

The mooring line. Doesn't that tell you something?

**ALEXANDER VAN NESS**

I think it does. Miyamoto was on

Carl's boat, or vice-versa. Not much doubt about th...

MARLAN McQUEEN

And Carl's blood on the gaff?

**ALEXANDER VAN NESS**

There's a chance it came from his hand.

**BURKE LATHAM**

There's a chance of everything. But you add a chance from here and a chance from there, the world ain't made a coincidences only.

Everyone agrees. Almost everyone.

**EDITH TWARDZIK**

Look, if he gave Carl a battery like he said, he'd only a had one left. Not two.

**ALEXANDER VAN NESS**

He explained that. He replaced it.

HARLAN McQUEEN

Only he threw that part in when he got cornered. But first time around, he never mentioned it.

**ROGER PORTER**

Alex, stop arguin' just to argue. You can see what really happened, same as us. Isn't that what we're supposed to do is tell the actual truth? My God, Carl died, here.

**ALEXANDER VAN NESS**

So I don't care Carl died, unless I'm ready to reach for the hangman's rope? You oughta stop tryin' to bully me into hurrying.

Little anger in that. It brings a silence.

**BURKE LATHAM**

Been six hours. You sayin' there's a way to go slower?

**INT. NELS' KITCHEN - LATE NIGHT**

Nels in a ratty, frayed old robe, pouring hot water from a kettle into mismatched cups. His hair is wispy and wild, his eyes puffy.

He COUGHS horrible. CLEARS his throat...

**NELS**

Well. It's imaginative...

And drops tea bags into the cups with a splash.

**NELS**

...I'll give you that.

Lips over to the cluttered table. Where his guest is waiting.

**ISHMAEL**

It's the way it happened, I know  
it is.

**NELS**

No, you don't.

Nels sits. Slowly. Ishmael removes his bag. Sips his tea.

**NELS**

That report. About the freighter?  
You didn't find that tonight, did you?

No answer. Ishmael keeps sipping. Holding eye contact.

**NELS**

You went right to the cell. Then  
to the boat. Then here. How long  
did you know about the freighter?

ISHMAEL (just above a whisper)

One day.

Nels' turn. To sip his tea.

**NELS**

This tastes horrible, hmmn?

**ISHMAEL**

You're wondering why I held it.

**NELS**

I'm wondering how the judge is  
gonna like my waking up his old  
bones. in the middle of the night.

And he smiles. A wonderful smile.

**NELS**

Your daddy. Was quite a feller.

**ISHMAEL**

Yes, he was.

Another sip.

**NELS**

He's looking down. And he's not thinking 'bout the man you were yesterday. He's proud of the man you are tonight. That's what counts.

**ISHMAEL**

To my father. Everything counts.

Nels watches the pain in that.

**NELS**

What if I told you he once said to me...don't matter the road we take. Just so we get there.

ISHMAEL (smiles)

Then you'd be lying.

**NELS**

Doesn't make me wrong.

**INT. COURTROOM - DAY**

The jury once more in the jury box. PAN their faces. The faces we saw last night.

**NELS (O.S.)**

All right, let's say that twine had been there to lash a lantern. That it had come from the shuttle of twine found in the deceased's pocket.

Edith Twardzik. Burke Latham. Alexander Van Ness.

**NELS (O.S.)**

Now to re-open a trial that had gone to jury...new evidence should be pretty important.

See Ishmael. Quiet, intense. On the witness stand.

**NELS (O.S.)**

Tell us why that lantern would be so significant.

**ISHMAEL**

Well. It shows the prosecutor was wrong. It was Carl's boat that was dead in the water. Or he'd never have put up the lantern.

Nels thinks about that. So the jury will, too.

**NELS**

Now you believe there were two lanterns when defendant arrived. One in Carl's hand. The second lashed to the mast.

**ISHMAEL**

That's what Mr. Miyamoto reported, and he'd have no reason to lie. He couldn't know that it would help his case.

**NELS**

Well, why does it?

**ISHMAEL**

Because the second lantern, the one on the mast. Was never found. So we have to ask...

A slight shurg. Stating the obvious.

**ISHMAEL**

...where did it go?

And then...

**ISHMAEL**

Maybe it went. Where Carl went. Over the side.

**HOOKS**

Objection! Speculation.

Nels smiles his grandfather smile.

**NELS**

Your Honor, all of this is speculation. Including Mr. Hooks' dramaturgy about the defendant

issuing a false distress call.

**HOOKS**

Tht was summation, Your H...

JUDGE (gently)

Overruled, Alvin. Let's hear  
this, hmmn?

Nels Gudmundsson nods to himself. Takes a stroll over to the  
jury box. No limp today. Something has put some spring in his step.

**NELS**

So how does this fit with what  
you told us at the start? The  
freighter that plowed through  
Ship Channel Bank...

And turns. Leaning his scrawny butt against the jury's rail.  
He'll watch this with them now.

**ISHMAEL**

That's when he fell.

**NELS**

Fell.

Ishmael settles in. Here we go.

**ISHMAEL**

Miyamoto gave him the battery, and  
left. Carl's boat was running, he  
goes back to fishing. But at some  
point, he thinks of the lantern...

**NELS**

Still lashed to the mast.

**ISHMAEL**

He figures a perfectly good  
lantern could get banged around  
up there. So he climbs up. To  
cut it down.

**NELS**

Just as the freighter comes through?  
Isn't that quite a coincidence?

**ISHMAEL**

Coincidences happen. You run a  
yellow light just as a car comes

out of nowhere. Split-second tragedy happens every day. Or maybe...

**NELS**

Maybe...?

**ISHMAEL**

Maybe Carl picks up something about the freighter on his radio, which is now working. Same report Milholland heard. And that makes him get the lantern fast. Before the freighter's wake can bang it around.

**NELS**

But you could be wrong. He could have climbed up earlier.

**ISHMAEL**

Then where's the lantern? And where's the knife?

**NELS**

The knife. What knife?

As if he really has forgotten. As if he wants to know.

**ISHMAEL**

Coroner found an empty knife sheath on Carl's belt. But they never found the knife.

He's nodding. Yes, that's right.

**ISHMAEL**

He climbs up. His hand wound still bleeding. That's the blood I found on the mast. And the twine.

Nels' eyes are rapt. His mouth is shut. No way he interrupts this roll.

**ISHMAEL**

He cuts the lantern free, the freighter's wake hits, the boat rolls hard, his bloody hand slips. tracing blood along the mast...

A hush.

**ISHMAEL**

He falls. The lantern, the knife,  
go into the water. Same as Carl.

The words hang there.

**ISHMAEL**

And inside the cabin, a coffee  
cup falls off the counter.

Shakes his head.

**ISHMAEL**

But there's no one around. To  
pick it up.

Nels ponders. Puts his hand to his chin.

**NELS**

Still a coincidence. Timing  
and all.

**ISHMAEL**

The freighter started through  
at 1:42. The sea water seeped  
into Carl's watch and stopped it.  
At 1:47.

CUT to the defendant. Ramrod straight, nothing revealed in his  
face. And to his wife. Elegant, erect. Her eyes flooded with  
tears.

**NELS**

Still and all. Carl was a strong  
swimmer, he m...

**ISHMAEL**

He hit his head. On the way in.

Silence.

**NELS**

You think so?

**ISHMAEL**

The sheriff and the deputy and I  
inspected the deck closely. We  
found a small fracture in the wood  
of the gunnel. Just below the mast.

**NELS**

Well, anything coulda caused that.



Ishmael nods. No smile at all.

**ISHMAEL**

Anything. That had a blond hair.

And Nels is walking now. Toward the prosecutor's table. Pulling  
a small cellophane bag from hisinside pocket.

**NELS**

Request introduction of Exhibit 18.  
One single blond hair. Which Sheriff  
Moran dug out of that fracture. Below  
the mast. Of Carl Heine's boat.

Lays the bag on the table. Just in front of Hooks. Turns to the  
judge.

**NELS**

We will call Sheriff Moran, who  
will confirm this. And Coroner  
Whaley to testify that the damage  
to the gunnel is of a size and  
nature not inconsistent with the  
deceased's skull fracture...

Turns to the prosecutor...

**NELS**

But for now. Your witness...

And just strolls on over to his seat. Looks in his client's  
eyes.  
How 'bout them apples? Kabuo loves this old guy. And right  
here,  
he lets a little of that show.

Across the way, the prosector is rising. He smiles. Friendly,  
almost amused.

**HOOKS**

I have to start reading your  
paper more closely. You're quite  
a storyteller.

ISHMAEL (straight back)  
Thank you. Coming from the man who  
wrote, 'But here, adrift in the fog,  
I plead for your help'...that's quite  
a compliment.

There is a ripple of laughter. But no smile on Ishmael's features.

His game face is on. Come and get me, sucker. And Hooks does come, one step at a time. Straight to the box.

**HOOKS**

Everything had to happen just right. For your little story to fly. I mean, a blond hair could be on that gunnel for a lot of reasons.

**ISHMAEL**

I'm sorry, was there a question in there?

No love lost. And no pretense about it. Hatsue Miyamoto sits with her hand in her mother's. Watching these men battle for her husband's life.

**HOOKS**

Well, the freighter. The twine. The blood. The knife. The cup. The watch. The second battery. The phantom lantern. The fishing gaff. The cracked gunnel. The skull wound. The blond hair. That's eleven things...

**ISHMAEL**

Twelve.

Hooks smiles.

**HOOKS**

I stand corrected, sir. And you have a neat explanation for every one of them.

Hooks nods. Yes, you do.

**HOOKS**

And since you confess this is all pure guesswork. What is your expertise, sir, are you a detective of sorts?

**ISHMAEL**

My expertise. Is that I'm a journalist.

Right at his eyes.

**ISHMAEL**

And journalism. Is balance. Finding  
the facts folks need to know.

The words ring with quiet, heartfelt conviction, that others  
cannot  
fully appreciate.

**ISHMAEL**

Then putting them together. So  
truth is revealed.

**HOOKS**

But isn't the truth that there are  
several other ways to explain each  
of these twelve pieces.

**ISHMAEL**

Oh, yes.

And the prosecutor stops. Confused for an instant by this  
confession. Until...

**ISHMAEL**

But no other way. To explain  
them all.

A heart-stopping hush. As everyone, as Hooks himself, sees the  
cehckmate.

**ISHMAEL**

And since they all happened.  
This is the only explanation  
that's the truth.

The prosecutor looks like he's been slapped. Like every act of  
will is necessary to maintain composure. To find the easy,  
untroubled smile.

**HOOKS**

Your line of work. You must meet  
a lot of men play fast and loose  
with the truth.

**ISHMAEL**

Like you couldn't believe.

Service returned. Hooks leans in.

**HOOKS**

Well, the defendant is a liar.

He's confessed that much. And his explanation is...he was afraid.

And leans in some more.

**HOOKS**

Afraid that the good folks of this jury. Would be too stupid to understand. Too prejudiced to be fair.

Shakes his head.

**HOOKS**

You buy that?

ISHMAEL (gently)

I think he was greedy.

And once more. The prosecutor can only blink. Can only move toward the trap.

**HOOKS**

Greedy.

**ISHMAEL**

He didn't want to lose any more.

No smile. No smile as the trap springs shut.

**ISHMAEL**

He'd lost a lot in the war, you see. I had sent him away. To a concentration camp. But a nice one. Far less brutal than the Nazis. Because I'm a civilized person.

He stops. Lets Hooks clear his throat.

**HOOKS**

I asked you a question, you're writing a tract, h...

**ISHMAEL**

That's how journalists. Answer questions.

Turns to Judge Fielding. With all respect...

**ISHMAEL**

May I answer the question, Your Honor? Anout the defendant's

motivation to lie?

**JUDGE**

I wouldn't miss it for the world, son. Now, you say you sent the defendant to Manzanar?

**ISHMAEL**

I didn't say. I did it alone.

And things get real quiet.

**ISHMAEL**

So there he was. His father lost his health there, finally died. They lost more than Etta Heine's seven acres. They lost their liberty, their dignity. Their ideals about this country.

So much feeling in this. He has to stop. Swallow hard.

**ISHMAEL**

They lost their trust in us. We had treated them worse than animals. How would we now see them. As human beings?

Tells the jury. Straight to their faces.

**ISHMAEL**

This man lost a lot in the war. He didn't want now to lose his babies. Or the woman who loves him.

Another level of quiet. He turns to the prosecutor...

**ISHMAEL**

And my expertise in this, sir. Is that I lost a lot in the war myself.

Words coming from someplace very deep.

**ISHMAEL**

And the fact that I am the only witness. Who placed his right hand upon the Holy Bible. Is the least of it, sir. I assure you of that.

Silence.

**HOOKS**

Well, sir. I hate to spoil the soliloquy, I truly do. But the fact is...you are not on trial here. Nor is Judge Fielding, or myself. Nor the good people of this jury. For events that took place twelve years ago.

No sir.

**HOOKS**

And I wouldn't blame these good people if they were a mite resentful. At a tactic that insults their intelligence.

**ISHMAEL**

That's curious. I was appealing to their intelligence.

**HOOKS**

Were you, sir? Can you prove one word of all your fancy story?

**ISHMAEL**

No, sir, I can't. Not beyond a reasonable doubt.

And he smiles. First time.

**ISHMAEL**

It's fortunate that the man who needs to prove his fancy story. Beyond a reasonable doubt. Is someone else.

There is laughter in the room, so welcome is any chance to relieve the tension. The gavel BANGS.

**ISHMAEL**

I'm sorry, Mr. Hooks. I apologize for my tone. This is not a contest. Between you and me.

Shakes his head. No, it isn't.

**ISHMAEL**

For it is not. As Mr. Gudmundsson so wisely put it. A small trial. In a small place.

His eyes are damp now. Strangely enough, after all this. He is  
at last on the brink of losing control. Because...

**ISHMAEL**

I lost more in that war than  
anyone will ever know. So did  
a lot of folks. And what we got  
back in return...

His voice breaks slightly. But it rings with dignity on...

**ISHMAEL**

...was a country. Where a man  
was innocent. Until we proved  
him guilty.

And the voice drops. To just above a whisper...

**ISHMAEL**

Whether we all got cheated.  
We're about to find out.

**INT. COURTHOUSE CORRIDOR - DAY**

CLOSE on Hatsue Miyamoto, speaking earnestly, her eyes down, her  
her purse in her lap, her slender hands expressing the intensity of  
feelings as she makes her point, and we...

PULL BACK to reveal that she is on a corridor bench, surrounded  
by a half dozen REPORTERS, who are crouching, standing, scribbling  
away. Two PHOTOGRAPHERS pop flashes that she does not seem to  
notice, as she continues with refined determination, and we...

PULL BACK, down the hallway to the POV of a man who sits alone,  
unnoticed. There is an unopened pack of cigarettes in his only  
hand, turning absently in long, strong fingers that crinkle the  
pristine cellophane. His eyes are fixed to hatsue, holding court  
at a distance. Fixed, as if no other sight could ever command  
this level of attention.

**NELS (O.S.)**

All things considered...

Hearing the voice, Ishmael looks down. Uneasy to have been  
caught staring so intently.

**NELS**

...you were adequate.

No smile accompanies the irony. For that would be condescending.

**NELS**

I could make a few quibbles, but  
I am loathe to hurt your feelings.

The old man sits. Very slowly.

**ISHMAEL**

Cigarette?

**NELS**

I'll take two. One for later.

Ishmael tries to tear the cellophane without success. Nels seems not even to notice.

NELS (quietly)

She is simply. Beautiful.

Ishmael's eyes cut to him. A little quickly. Confides...

**ISHMAEL**

I've always thought so.

There it sits. His fingers claw absently at the cellophane.

Nels

makes no move to intervene.

**NELS**

If I whistle. Those boys'll see  
you, and come runnin'. You're  
the story today.

**ISHMAEL**

You ever been strangled by a  
single hand?

**NELS**

Naw, I've seen what that can do  
to a pack of cigarettes.

Comfortable together. In this hour of discomfort. Ishmael  
brings  
the corner of the pack to his teeth, and tears the cellophane  
away.

**ISHMAEL**

Better take three...



Fingers nimbly shred the seal, open the pack.

**ISHMAEL**

Maybe they'll keep us waiting.

Shake the tips free. Holds the pack forward.

NELS (very quiet)

Maybe they won't.

The way he said that. Subtly ominous. Ishmael watching Nels' face, as the old man takes two cigarettes...

**NELS**

Prejudice is like any obsession.

Tucks one in his pocket. And his eyes slide, unmistakably, to Hatsue.

**NELS**

There's a reason why we can't  
let go. Even when we want to.

Ishmael is stone still. Nels just gazing at Hatsue. Until...

**ISHMAEL**

A reason.

NELS (simply)

We don't want to.

Looks back to Ishmael. Very straight.

**NELS**

Hate or love. It works the same.

In the silence...

**ISHMAEL**

Your client's wife ever mention?  
We go way ba...

NELS (softly)

Her mother. May have said  
something.

There it is. Kindness in this old man's face. He brings the  
other  
cigarette to his lips. And Ishmael takes out the match box.  
Never  
breaking eye contact.

**ISHMAEL**

We don't let go, you s...

**NELS**

It's a rare thing. Takes a turning point.

Expertly, Ishmael's fingers withdraw a match.

**NELS**

You gave this jury three chances. To turn.

Palming the box, Ishmael STRIKES the match. On his belt buckle...

**NELS**

No other way to explain it all. That was one. I caught some of 'em fluttering, waking up, on that.

Reaches the flame toward the old man...

**NELS**

Second. You sent him to Manzanar, and you didn't do it alone. I liked that one, they didn't. No surprise.

Nels leans to the flame. Sucks it in. Savors a drag.

**NELS**

Last. You gave your arm. To buy this woman back her husband. Are they gonna cheat you out of that?

BAILIFF (O.S., calling out)

**JURY'S COMIN' IN...**

Everywhere, the buzz RISES, there is motion an expectation. But Nels doesn't seem to notice.

**NELS**

Some let go, some don't. Where did you?

Asked so casually. Ishmael turns. Hatsue is standing now, surrounded by people, her mother grasping her arm.

ISHMAEL (a murmur)

Hooks called her deceitful. And I knew she wasn't.

He's watching her. Across the way. So intently.

**ISHMAEL**

She was an honest person. Doing  
the best she could.

We follow her approach toward the courtroom door. She has not  
yet turned to us.

**NELS (O.S.)**

The prosecutor, the judge, cut  
her off. She was desperate. Her  
husband helpless...I was helpless...

Nels rises. With great effort.

**NELS**

You couldn't let her. Be  
helpless.

Ishmael's eyes still fixed to Hatsue, grim-faced, listening to  
her mother's murmurings, as she...

...disappears through the door. Never having looked our way.

**NELS**

When this verdict is read. She  
may look for your face.

And Ishmael's eyes come up. Because the voice commands it.

**NELS**

Here's what she needs to see: This  
is nothing. We win it on appeal.

The old man is stern and strong. He wants a promise.

**ISHMAEL**

It'll be there.

**INT. COURTROOM - DAY**

The hush of a hundred silences. We can feel the air crackle in  
the stillness. Judge Fielding is leafing through papers. No one  
coughs, no one blinks...

JUDGE (clears his throat)

Mister foreman, has the jury

reached a verdict?

He looks up. Across the distance, Harold Jensen rises in the jury box.

**HAROLD JENSEN**

We have, Your Honor.

And holds out a slip of paper. Little more than a scrap. Folded once.

**JUDGE**

Will the bailiff please bring the verdict to the bench.

The bailiff does so, walking crisply to minimize his moment in the limelight. He hands the slip to the judge, who unfolds it, and...

...stops. Staring for a hung instant. As if seeing something unexpected. he folds it again, rather carefully, thoughtfully, and as he hands it back to the bailiff...

**JUDGE (softly)**

Will the defendant please rise.

Kabuo and Nels rise together. But it is only into the defendant's eyes that the judge stares. No expression in the face of either man. But something passes, all the same.

As the bailiff crosses to return the verdict to the foreman, we **SNAP TO...**

REVERSE ANGLE...every pair of eyes in the room are on the foreman, now opening the slip of paper.

Every pair. But one.

**JUDGE (O.S.)**

Will the foreman please read the verdict aloud.

One reporter stares across the grain of all other sight lines. Toward a woman who does not see him. In case she needs his eyes. To be waiting.

HAROLD JENSEN (reads)

We the jury, find the defendant,  
Kabuo Kenji Miyamoto, to be not  
guilty of the cri...

A sharp SCREAM, and the defendant's mother-in-law covers her  
mouth  
in embarrassment.

HAROLD JENSEN (continues)  
...of the crime with which he  
has been char...

APPLAUSE breaks out from the back row of the gallery, where  
citizens of Japanese ancestry have forgotten custom and decorum,  
as has...

...a woman who comes OUT of her seat, tears on her face, not  
even realizing she is standing, Hatsue clings to the railing that  
separates her from her husband. Throughout the gallery, now...

...some of the citizens assembled add their applause. Others  
look  
awkward, not knowing how to react.

The gavel lies untouched, unnoticed, by a jurist who has no  
problem  
with anything that is taking place right now. Saying only to the  
jury...

**JUDGE**

This is your verdict, so say  
you all?

As they assent...

**JUDGE**

This Court thanks you for the  
good work you have done under  
difficult circumstances...

Reaches STRONG to the gavel, turns to the defendant...

**JUDGE**

Go home, son. God bless.

CRACKS the gavel on its block. The defendant is OUT of his  
chair,  
and with one strong grip of gratitude to the frail shoulder of  
his  
counsel, he is...

...AT the rail, through the POPPING of flashbulbs, she is IN his

arms, the embrace so FIERCE on both sides, everyone crowding around them.

An old man's eyes sweep the gallery, looking for someone. Only to find...

...Ishmael's back. As he disappears through the door.

**INT. COURTHOUSE CORRIDOR - LATER**

The Miyamotos holding court, surrounded by nearly twenty reporters and photographers, and countless looky-loo's of all persuasions. Hatsue's face is flushed and intense, unsmiling, she seems scarcely to have caught her breath. She holds tight to her husband's hand, as he...

...carries his baby son in the other arm, his 8-year-old daughter leaning against him, her 4-year-old sister standing on the bench beside her mom. Kabuo submits to questions with a boyish grin of humility and friendliness. An American family. Photogenic as hell.

**REPORTER #1**

And how about the jury? You had confidence they'd see justice done?

Kabuo glances to his lawyer, wanna field this one? But Nels sends it back with a twinkle.

**KABUO**

Oh, sure. These are our neighbors, you know. They've got good hearts. We could see they were following the evidence real close...

At his side, Hatsue seems to be scanning the jumble of faces...

**KABUO**

We're just grateful to every one of them.

...looking for something she doesn't find.

**REPORTER #2**

And you ma'am? You felt the same as your husband, I expect?

Her eyes move to the eager young man. She reflects for a beat.

**HATSUE**

Honestly, no.

Which catches everyone. A little short.

HATSUE (quietly)

I felt my husband would be found guilty. Unless proven innocent.

No apologies for the truth. That's not her way.

**HATSUE**

And Mr. Chambers did that.

**INT. COURTHOUSE BASEMENT**

A vending machine stands in silence. The eerie strobing glow of defective neon. PULL BACK as...

Ishmael thinks it over. Drops in his dime. Pulls the plunger,  
to watch a Snickers fall. Scoops the candy from the tray, pins it  
between his body and the machine.

...tears the wrapper.

**INT. COURTHOUSE CORRIDOR**

BACK to the reporters. The crowd of onlookers has grown.

**REPORTER #3**

...can we get some background on  
your handsome family? I understand  
you two were childhood sweethearts...

And brings his Parker pen to his notepad. His subject smiles  
easily...

**KABUO**

Well, no sir, not exactly. We met  
in the Manzanar camp, you see, so I  
guess that was the most beautiful  
place I've ever been.

There is gentle laughter. And as Kabuo looks up, he sees  
something  
in the rear of the crowd. Something we do not. And softly...

**KABUO**

No, her first love was another

fella...

Which brings Hatsue's eyes up, following his gaze. And there, in the back. A man watches. Eating a candy bar.

**KABUO (O.S.)**

I was the lucky one.

No one sees their eyes lock. It is only an instant.

It is enough.

**REPORTER #4**

It all sounds very romantic,  
ma'am. Falling in love under  
those circumstances...

And as she looks to the reporter, Ishmael begins to walk away...

**HATSUE**

He went off to the Army, right  
from Manzanar. And that last  
night, we danced alone in the  
desert...

And somehow, Ishmael catches the eye of Hatsue's 4-year-old daughter. So he pulls a coin from his pocket...

**HATSUE (O.S.)**

I told him. If you don't come  
back alive, I'll kill you.

...Ishmael ROLLS the coin across his knuckles. And the child responds...

With her mother's smile.

**EXT. COURTHOUSE STEPS - DUSK**

Alone on the steps where the Strawberry Princess once winked at him. Snow has begun to fall, soft and altogether beautiful. He squints up...

**ISHMAEL (V.O.)**

God's kindness, my father said.  
Despite the hardship...it reminds  
us. Of our place in things.

Our place in things. He slides a black cigar between his teeth...

**ISHMAEL (V.O.)**



What the hell. Did he mean  
by that?

He has the match box. Manipulating it with the dexterity we've  
come to know.

**ISHMAEL (V.O.)**

Things fall on us, I suppose.  
From the sky.

STRIKES the match on his belt buckle...

**ISHMAEL (V.O.)**

Wars. Freighters plowing through...

Cupping it expertly in a single motion, he brings the flame to  
the  
cigar. A single puff.

**ISHMAEL (V.O.)**

And we seem...helpless. Until we  
understand.

One more. Savors it. The sky. The thought.

**ISHMAEL (V.O.)**

Accident rules every corner of  
the universe...

Down the steps. Snow swirling between us. Gone.

**ISHMAEL (V.O.)**

Except the chambers. Of the  
human heart.

**FADE SLOWLY TO BLACK. ROLL END CREDITS.**